



Economic and Social Council

1 November 2010

Original: English

Commission on Narcotic Drugs

Reconvened fifty-third session

Vienna, 2 December 2010

Agenda item 5

Improving the collection, reporting and analysis of data to monitor the implementation of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem

Annual report questionnaire: Part One. Legislative and institutional framework*

Note by the Secretariat

Pursuant to Commission on Narcotic Drugs resolution 52/12, a meeting of the expert group on data collection was held in Vienna from 12 to 15 January 2010 to review the current data collection tools and collection, collation, analysis and reporting processes. Pursuant to Commission decision 53/2, the Secretariat produced a revised version of the draft annual report questionnaire; the expert group held a meeting in Vienna from 11 to 13 October 2010 to finalize the questionnaire so that the Commission could adopt it at its reconvened fifty-third session. The Secretariat hereby transmits part one of the questionnaire; parts two, three and four will be made available in separate documents (E/CN.7/2010/20, E/CN.7/2010/21 and E/CN.7/2010/22).

* The present document was submitted after the date required by the 10-week rule as the meeting of the expert group on data collection was held from 11 to 13 October 2010.



Annual report questionnaire

E/NR/____/1

Report of the Government of _____

Reporting year _____

Completed on _____

In the table below, provide the name, full postal address, telephone number, fax number and e-mail address of the authority responsible for coordinating the collection of data on legislative and administrative action taken to implement the international drug control conventions, as well as the name of the contact person.

Name of authority

Name of contact person

Full postal address

Telephone number

Fax number

E-mail address

The Government is invited to indicate whether there is a central national drug control authority that should be copied in official notifications under the international drug control treaties. If such an authority exists, and if that authority is different from the above-mentioned authority, please provide full contact details, including an e-mail address, in the table below.

Name of central national drug control authority

Name of contact person

Full postal address

Telephone number

Fax number

E-mail address

Annual report questionnaire

Part One. Legislative and institutional framework

1. Were any laws and regulations relating to narcotic drugs, psychotropic substances or precursor chemicals enacted during the reporting year? Such laws and regulations may include, among others, the following: penal or sanitary codes, customs regulations or medical regulations, as well as texts covering areas such as money-laundering, confiscation, mutual legal assistance, extradition, proceeds of crime, controlled delivery, drug trafficking by sea.

☐ Yes

☐ No

If the answer is yes, please attach a copy of each new legislative text in one of the official languages of the United Nations or a Government-certified translation into English, French or Spanish, the working languages of the Commission on Narcotic Drugs.

Summarize major changes brought about by the new law or regulation:

.....

2. Were any significant administrative and/or regulatory measures taken during the reporting year with respect to the control of narcotic drugs and psychotropic substances?

☐ Yes

☐ No

If the answer is yes, whenever possible please attach a copy of the text of each new administrative and/or regulatory measure in one of the official languages of the United Nations or a Government-certified translation into English, French or Spanish, the working languages of the Commission.

Summarize major changes brought about by the new administrative and/or regulatory measure or measures:

.....

Questions 3-5 relate only to the manufacture of narcotic drugs (substances included in Schedules I and II of the Single Convention on Narcotic Drugs of 1961) and psychotropic substances (substances contained in Schedules I, II, III and IV of the Convention on Psychotropic Substances of 1971), and precursor substances (Table I of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988), as well as to the manufacture of their salts. The questions do not concern the manufacture or formulation of preparations

containing these substances or any processing of preparations and tablets, capsules, ampoules etc. The data provided by Governments to those questions will appear in the publication on the *Manufacture of Narcotic Drugs, Psychotropic Substances and their Precursors* (in the symbol series ST/NAR.4/...), which is updated and reissued on an annual basis.

3. Are there any establishments or premises where the licit manufacture of narcotic drugs or their salts takes place?

☐ Yes

☐ No

If the answer is yes, please complete form 1 (attached).

4. Are there any establishments or premises where the licit manufacture of psychotropic substances or their salts takes place?

☐ Yes

☐ No

If the answer is yes, please complete form 2 (attached).

5. Are there any establishments or premises where the licit manufacture of substances listed in Table I of the 1988 Convention¹ or their salts takes place?

☐ Yes

☐ No

If the answer is yes, please complete form 3 (attached).

6. Are all psychoactive substances² under international control also under national control?

(a) Narcotic drugs:

☐ Yes

☐ No

If the answer is no, please provide the names and exact chemical formulations of the narcotic drugs that are not yet under national control:

.....

¹ For the lists of narcotic drugs and psychotropic substances under international control see www.incb.org.

² A psychoactive substance is any substance that, when ingested, affects mental processes (e.g. cognition). See the definition given in the lexicon on alcohol and drug terms of the World Health Organization, available from www.who.int/substance_abuse/terminology/who_lexicon/en.

(b) Psychotropic substances:

☐ Yes

☐ No

If the answer is no, please provide the names and exact chemical formulations of the psychotropic substances that are not yet under national control:

.....

7. Were any psychoactive substances not currently under international control placed under national control for the first time during the reporting period, either as a narcotic or a psychotropic substance?

☐ Yes

☐ No

If the answer is yes, whenever possible please provide the names and exact chemical formulations of the substances that were placed under national control during the reporting period:

.....

8. Was a risk assessment³ undertaken before placing the substances under national control?

☐ Yes

☐ No

If the answer is yes, and if appropriate, whenever possible please attach a copy of each text in one of the official languages of the United Nations or a Government-certified translation into English, French or Spanish, the working languages of the Commission.

³ Carrying out a risk assessment of a substance would entail determining:

(a) If the substance has the capacity to produce both of the following:

(i) A state of dependence; and

(ii) Central nervous system stimulation or depression, resulting in hallucinations or disturbances in motor function, thinking, behaviour, perception or mood; or

(b) If there is sufficient evidence that the substance is being or is likely to be abused so as to constitute a public health and social problem warranting the placement of the substance under control, also bearing in mind the economic, social, legal administrative and other factors that may be considered relevant (see article 2 of the 1971 Convention).

9. Does the law require any warnings on packages or accompanying leaflet information to safeguard the users of preparations containing:

Narcotic drugs? ☐ Yes ☐ No

Psychotropic substances? ☐ Yes ☐ No

10. Is prescription a requirement for the supply or dispensation of preparations containing narcotic drugs listed in Schedule I of the 1961 Convention?⁴

☐ Yes

☐ No

If the answer is no, how is the supply or dispensation of such preparations controlled?

.....

11. Is prescription a requirement for supply or dispensation of preparations containing psychotropic substances?

☐ Yes

☐ No

If the answer is no, how is the supply or dispensation controlled?

.....

Narcotic drugs and psychotropic substances

Question 12 asks about national competent authorities empowered by the Government to issue certificates and authorizations for the import and export of narcotic drugs (art. 18, para. 1 (d), of the 1961 Single Convention) and psychotropic substances (art. 16, para. 2, of the 1971 Convention). The information provided by Governments in this question will appear in the publication *Competent National Authorities under the International Drug Control Treaties* (in the symbol series ST/NAR.3/...), which is updated and reissued on an annual basis.

12. Have there been any changes since the latest issue of the publication entitled *Competent National Authorities under the International Drug Control Treaties*?

☐ Yes

☐ No

⁴ As defined in article 30 of the Single Convention on Narcotic Drugs of 1961. For the list, see www.incb.org.

If the answer is no, it will be assumed by the Secretariat that the most recently published list contains the correct information.

If the answer is yes, please provide new information in the table below.

Competent authority for narcotic drugs
Name of authority
Name of contact person
Full postal address
Telephone number
Fax number
E-mail address
Competent authority for psychotropic substances (if different from the competent authority for narcotic drugs)
Name of authority
Name of contact person
Full postal address
Telephone number
Fax number
E-mail address

Extradition

13. Have there been any changes in the authority or authorities competent to receive, respond to and process requests for extradition under article 6 of the 1988 Convention since the latest version of the list of competent authorities designated under articles 6, 7 and 17 of the 1988 Convention published in the online directory of competent national authorities?⁵

☐ Yes

☐ No

If the answer is no, it will be assumed by the Secretariat that the most recently published list contains correct information.

⁵ Available from www.unodc.org/compauth/index.html.

If the answer is yes, please provide new information in the table below.

Authority
Name of authority
Full postal address
Name of the service to be contacted
Name of the person to be contacted
Title
Telephone number
Fax number
Number of 24-hour hotline (if applicable)
E-mail address
Office hours
Languages accepted
Acceptance of requests by INTERPOL (yes or no)
Information needed for request to be executed
Formats and channels accepted

14. Did your country have in place bilateral or multilateral agreements or memorandums of understanding with other countries in relation to extradition during the reporting year?

☐ Yes

☐ No

If the answer is yes:

(a) With how many countries did your country have such agreements in place?

.....

(b) With how many countries were such agreements entered into during the reporting year?

.....

.....

.....

(c) How many countries were involved in actions taken pursuant to those agreements during the reporting year?

.....

.....

.....

Mutual legal assistance

15. Have there been any changes in the authority or authorities competent to receive, respond to and process requests for mutual legal assistance under article 7 of the 1988 Convention since the latest issue of the list of competent authorities designated under articles 6, 7 and 17 of the 1988 Convention published in the online directory of competent national authorities?

☐ Yes

☐ No

If the answer is no, it will be assumed by the Secretariat that the most recently published list contains correct information.

If the answer is yes, please provide new information in the table below.

Authority
Name of authority
Full postal address
Name of the service to be contacted
Name of the person to be contacted
Title
Telephone number
Fax number
Number of 24-hour hotline (if applicable)
E-mail address

Authority
Office hours
Languages accepted
Acceptance of requests by INTERPOL (yes or no)
Information needed for request to be executed
Formats and channels accepted

16. Did your country have in place bilateral or multilateral agreements or memorandums of understanding with other countries in relation to mutual legal assistance during the reporting year?

☐ Yes

☐ No

If the answer is yes:

(a) With how many countries did your country have such agreements in place?

.....

(b) With how many countries were such agreements entered into during the reporting year?

.....

(c) How many countries were involved in actions taken pursuant to those agreements during the reporting year?

.....

Illicit traffic by sea

17. Have there been any changes to the authority or authorities competent to receive, respond to and process requests to board and seize under article 17 of the 1988 Convention since the latest version of the list of competent authorities designated under articles 6, 7 and 17 of the 1988 Convention published in the online directory of competent national authorities?

☐ Yes

☐ No

If the answer is no, it will be assumed by the Secretariat that the most recently published list contains correct information.

If the answer is yes, please provide new information in the table below.

Authority
Name of authority
Full postal address
Name of the service to be contacted
Name of the person to be contacted
Title
Telephone number
Fax number
Number of 24-hour hotline (if applicable)
E-mail address
Office hours
Languages accepted
Acceptance of requests by INTERPOL (yes or no)
Information needed for request to be executed
Formats and channels accepted

18. Did your country have in place bilateral or multilateral agreements or memorandums of understanding with other countries relating to illicit traffic by sea?

☐ Yes

☐ No

If the answer is yes:

(a) With how many countries did your country have such agreements in place?

.....

(b) With how many countries were such agreements entered into during the reporting year?

.....

(c) How many countries were involved in actions taken pursuant to those agreements during the reporting year?

.....

Protection of victims and witnesses

19. Does your country have new legislation, rules or procedures for the protection of victims and witnesses?

☐ Yes

☐ No

If the answer is yes, please attach a copy of each text in one of the official languages of the United Nations or a Government-certified translation into English, French or Spanish, the working languages of the Commission.

Criminalization of money-laundering

20. Is money-laundering a criminal offence in your country?

☐ Yes

☐ No

21. Has money-laundering been criminalized in the country in the reporting year (Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,⁶ para. 51 (a))?

- ☐ Yes
☐ No

If the answer is yes, whenever possible please attach a copy of each legal instrument criminalizing money-laundering in one of the official languages of the United Nations or a Government-certified translation into English, French or Spanish, the working languages of the Commission.

22. What type of preventive and enforcement measures have been taken to combat criminal activities that may be linked to trafficking in narcotic drugs and psychotropic substances (Plan of Action, para. 26 (b)), in relation to:

(a) Money-laundering:

.....

(b) Trafficking in persons:

.....

(c) Smuggling of migrants:

.....

(d) Financing of terrorism, where appropriate:

.....

(e) Other (please specify):

.....

⁶ A/64/92-E/2009/28, sect. II.A.

23. Does your country have measures to manage seized assets (para. 51)?

☐ Yes

☐ No

24. Does the law provide for the conclusion of bilateral or multilateral asset-sharing agreements (Plan of Action, para. 51 (a) (iii))?

☐ Yes

☐ No

If the answer is yes, whenever possible please attach a copy of each legal instrument, administrative instruction or other instrument in one of the official languages of the United Nations or a Government-certified translation into English, French or Spanish, the working languages of the Commission.

25. Were new legal instruments adopted during the reporting year criminalizing the laundering of money derived from drug trafficking, the diversion of precursor chemicals and other serious crimes of a transnational nature (Plan of Action, para. 51 (a))?

☐ Yes

☐ No

If the answer is yes, whenever possible please attach a copy of each legal instrument criminalizing such money-laundering in one of the official languages of the United Nations or a Government-certified translation into English, French or Spanish, the working languages of the Commission.

26. Were measures against money-laundering implemented during the reporting year in the context of emerging crimes such as those related to the misuse of new technologies, cyberspace and electronic money transfer systems (Political Declaration on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,⁷ para. 28, and Plan of Action, para. 51 (a) (i))?

☐ Yes

☐ No

If the answer is yes, whenever possible please attach the relevant provisions.

⁷ A/64/92-E/2009/28, sect. II.A.

27. Were new legal measures adopted on the identification, freezing, seizure and confiscation of the proceeds of drug-related crime (Political Declaration, para. 29, and Plan of Action, para. 51 (a) (ii) and (c) (v))?

- ☐ Yes
☐ No

If the answer is yes, whenever possible please attach a copy of each legal instrument on the identification, freezing, seizure and confiscation of the proceeds of drug-related crime in one of the official languages of the United Nations or a Government-certified translation into English, French or Spanish, the working languages of the Commission.

Financial and regulatory regimes for banks and non-bank financial institutions

28. Have measures been adopted by banks and other financial institutions in your country on the following:

(a) Customer identification and verification requirements, namely the application of the “know-your-customer” principle (Plan of Action, para. 51 (b) (i))?

- ☐ Yes
☐ No

(b) Identification of beneficial ownership information for legal persons (Plan of Action, para. 51 (b) (ii))?

- ☐ Yes
☐ No

(c) Requirement of financial record keeping (Plan of Action, para. 51 (b) (iii))?

- ☐ Yes
☐ No

(d) Mandatory reporting of suspicious transactions (Plan of Action, para. 51 (b) (iv))?

- ☐ Yes
☐ No

(e) Mechanisms to detect and monitor the cross-border transport of cash and other negotiable bearer instruments into your country (Plan of Action, para. 51 (b) (v))?

- ☐ Yes
☐ No

(f) Mechanisms to detect the flow of drug money (in cash or other negotiable bearer instruments) into the financial system (including banks) (Plan of Action, para. 51 (b) (v))?

- ☐ Yes
☐ No

(g) Enhanced due diligence measures when dealing with domestic and international politically exposed persons (Plan of Action, para. 51)?

- ☐ Yes
☐ No

Domestic and international cooperation

29. During the reporting year, did your country implement measures regarding the following (Plan of Action, para. 51 (a) (ii)):

(a) Tracing of the proceeds of crime?

- ☐ Yes
☐ No

(b) Seizing of the proceeds of crime?

- ☐ Yes
☐ No

(c) Freezing of the proceeds of crime?

- ☐ Yes
☐ No

(d) Confiscation of the proceeds of crime?

- ☐ Yes
☐ No

30. Is money-laundering an extraditable offence in your country (Plan of Action, para. 51 (a) (vii))?

- ☐ Yes
☐ No

If the answer is yes, please indicate who can be extradited for money-laundering:

- ☐ Nationals only

- ☐ Non-nationals only
- ☐ Both nationals and non-nationals

31. Were new legal instruments adopted during the reporting year providing for the conclusion of asset-sharing agreements (Plan of Action, para. 51 (a) (iii))?

- ☐ Yes
- ☐ No

If the answer is yes, whenever possible please attach a copy of each legal instrument in one of the official languages of the United Nations or a Government-certified translation into English, French or Spanish, the working languages of the Commission.

Form 1. Licit manufacture of narcotic drugs or their salts

Note: Form 1 is to be completed if the answer to question 3 is yes.

Give the following information with respect to the licit manufacture of narcotic drugs and their salts, not to preparations containing such drugs:

(a) Name, full postal address, telephone and fax numbers and e-mail address of the manufacturer;

(b) Names of the narcotic drugs or their salts authorized to be manufactured in the reporting year;

(c) The drugs or salts that were actually manufactured during the reporting year.

	Manufacturer	Basic narcotic drug or salt authorized for manufacture	Check the box if actually manufactured in reporting year
Name			<input type="checkbox"/>
Full postal address			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
Telephone			<input type="checkbox"/>
Fax			<input type="checkbox"/>
E-mail			<input type="checkbox"/>
Name			<input type="checkbox"/>
Full postal address			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
Telephone			<input type="checkbox"/>
Fax			<input type="checkbox"/>
E-mail			<input type="checkbox"/>

Note: If necessary, continue on additional copies of this page.

Form 2. Licit manufacture of psychotropic substances or their salts

Note: Form 2 is to be completed if the answer to question 4 is yes.

Give the following information with respect to the licit manufacture of psychotropic substances and their salts, not to preparations containing such drugs:

(a) Name, full postal address, telephone and fax numbers and e-mail address of manufacturer;

(b) Name of the psychotropic substances or their salts authorized to be manufactured in the reporting year;

(c) Substances or salts that were actually manufactured during the reporting year.

	Manufacturer	Psychotropic substance or salt authorized for manufacture	Check the box if actually manufactured in reporting year
Name			<input type="checkbox"/>
Full postal address			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
Telephone			<input type="checkbox"/>
Fax			<input type="checkbox"/>
E-mail			<input type="checkbox"/>
Name			<input type="checkbox"/>
Full postal address			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
Telephone			<input type="checkbox"/>
Fax			<input type="checkbox"/>
E-mail			<input type="checkbox"/>

Note: If necessary, continue on additional copies of this page.

Form 3. Licit manufacture of substances listed in Table 1 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988

Note: Form 3 is to be completed if the answer to question 5 is yes.

Give the following information with respect to the licit manufacture of substances listed in Table 1 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and their salts:

(a) Name and full postal address, telephone and fax numbers and e-mail address of the manufacturer;

(b) Names of the substances or their salts manufactured in the reporting year.

	Manufacturer	Substance or salt manufactured
Name		
Full postal address		
Telephone		
Fax		
E-mail		
Name		
Full postal address		
Telephone		
Fax		
E-mail		

Note: If necessary, continue on additional copies of this page.
