

IV. Recommendations to Governments, the United Nations and other relevant international and regional organizations

728. In exercising its mandate to monitor the application of the international drug control treaties, the Board, on an ongoing basis, examines the functioning of the international drug control regime at both the national and international levels and makes recommendations to Governments and international and regional organizations. In the present chapter, the Board highlights key recommendations. The Board invites all those concerned to examine the recommendations and to implement them, as appropriate.

729. Governments and relevant organisations should keep the Board informed of the implementation of these and other recommendations, as well as developments in drug control in their respective jurisdictions.

730. The Board reminds Governments and relevant organizations that the recommendations contained in chapter I of its annual reports are generally not included in chapter IV. The recommendations in both chapters should be considered for implementation, as appropriate.

A. Recommendations to Governments

731. The recommendations to Governments are grouped according to the following subject areas: treaty adherence; treaty implementation and control measures; prevention of illicit drug trafficking and abuse; availability and rational use of narcotic drugs and psychotropic substances for medical purposes; the Internet and smuggling by postal and courier services; and smuggling and abuse of counterfeit preparations containing narcotic drugs and psychotropic substances.

Treaty adherence

732. The international drug control treaties, namely the 1961 Convention, the 1961 Convention as amended by the 1972 Protocol, the 1971 Convention and the 1988 Convention form the basis of the international drug control system. The accession of all States to those treaties is a fundamental prerequisite for effective drug control worldwide.

Recommendation 1: There are a few States which are not yet parties to one or more of the international drug control treaties. **The Board reiterates its request to States that are not parties to the international drug control treaties to take the necessary action to accede to those treaties.**⁹⁷

Treaty implementation and control measures

733. Universal treaty adherence will, however, not be sufficient without effective and universal implementation of all the provisions of the international drug control treaties and the application of the necessary control measures by all Governments.

Recommendation 2: Timely provision to the Board of information required under the international drug control conventions is one of the key elements of the international drug control mechanism. **The Board reiterates its request to all Governments to furnish in a timely manner all statistical reports required under the conventions. All Governments are encouraged to seek from the Board any information that will help them in meeting their reporting obligations under the conventions.**

⁹⁷ The following States are not parties to the international drug control treaties and/or the 1972 Protocol amending the 1961 Convention:

(a) States not parties to the 1961 Convention as amended by the 1972 Protocol or to the 1961 Convention in its unamended form: Cook Islands, Equatorial Guinea, Kiribati, Nauru, Samoa, Timor-Leste, Tuvalu and Vanuatu.

(b) States not parties to the 1972 Protocol amending the 1961 Convention: Afghanistan, Chad and Lao People's Democratic Republic.

(c) States not parties to the Convention of 1971: Cook Islands, Equatorial Guinea, Haiti, Kiribati, Liberia, Nauru, Samoa, Solomon Islands, Timor-Leste, Tuvalu and Vanuatu.

(d) States not parties to the 1988 Convention: Equatorial Guinea, Holy See, Kiribati, Marshall Islands, Namibia, Nauru, Palau, Papua New Guinea, Solomon Islands, Somalia, Timor-Leste and Tuvalu.

Recommendation 3: In some countries, the delay in the submission of statistical data to the Board is partly the result of Governments providing insufficient resources to the authorities responsible for the collection and reporting of data on licit activities related to narcotic drugs, psychotropic substances and precursors. **The Board urges all Governments to allocate adequate resources to their national competent authorities to meet their treaty obligations by submitting complete statistical data to the Board in a timely manner.**

Recommendation 4: The system of control measures laid down in the 1961 Convention provides effective protection against attempts at the diversion of narcotic drugs from international trade into illicit channels. **The Board urges all Governments to implement fully the system of estimates and export authorizations and to ensure that exports of narcotic drugs are not in excess of the total of the importing country's estimates for those narcotic drugs.**

Recommendation 5: For Governments that did not provide estimates for narcotic drugs for 2008, the estimates have been established by the Board. **The Board urges the Governments concerned to examine their requirements for narcotic drugs for 2008 and furnish their own estimates to the Board for confirmation, in order to prevent any possible difficulties in importing the quantities of narcotic drugs required for medical and scientific use in their countries.**

Recommendation 6: In accordance with article 19, paragraph 3, of the 1961 Convention, Governments may submit supplementary estimates for narcotic drugs during the year for which the estimates apply. **The Board requests all Governments to determine their annual estimates of requirements for narcotic drugs as accurately as possible, so that resort to supplementary estimates is reserved for unforeseen circumstances or when developments in medical treatment, including the use of new medications and scientific research, result in additional requirements for narcotic drugs.**

Recommendation 7: The practice of chewing coca leaves continues in Bolivia and Peru. The countries in the region are suffering from the illicit manufacture of and trafficking in cocaine. **The Board calls upon the Governments of Bolivia and Peru to initiate action without delay with a view to eliminating uses of coca leaf, including coca leaf chewing, that are contrary to the 1961 Convention. The Governments of those countries and Colombia should strengthen their efforts against the illicit manufacture of and trafficking in cocaine. The Board calls on the international community to provide assistance to those countries towards achieving those objectives.**

Recommendation 8: The Commission on Narcotic Drugs decided in March 2007 to include oripavine in Schedule I of the 1961 Convention. That decision became effective on the date of receipt by each State party of the note verbale of the Secretary-General on this matter, dated 27 June 2007. **The Board requests all Governments to implement without delay the provisions of the 1961 Convention with respect to oripavine, including by complying with the system of estimates and providing statistical reports to the Board.**

Recommendation 9: A number of Governments have for several years not updated the assessments of their requirements for psychotropic substances. Those earlier assessments may no longer reflect their actual medical and scientific requirements for psychotropic substances, as evidenced by the fact that several importing countries continue to issue import authorizations for psychotropic substances in absence or in excess of the corresponding assessments. **The Board encourages all Governments to ensure that their assessments correspond to their actual legitimate needs and that no imports exceeding the assessments are authorized.**

Recommendation 10: The system of import authorizations for all psychotropic substances has proved particularly effective in the identification of diversion attempts. **The Board reiterates its request to all Governments that have not yet done so to introduce a system of import and**

export authorizations for substances in Schedules III and IV of the 1971 Convention, in accordance with Economic and Social Council resolutions 1985/15, 1987/30, 1991/44, 1993/38 of 27 July 1993 and 1996/30 of 24 July 1996.

Recommendation 11: Diversions of psychotropic substances from international trade are often attempted using falsified import authorizations. **The Board invites all Governments to continue to pay attention to the legitimacy of orders for psychotropic substances and, if necessary, to consult with the Governments of the importing countries on any suspect order prior to approving the exports. The Board encourages the national competent authorities of exporting countries to regularly check import orders against the assessments of the actual requirements for psychotropic substances of the relevant importing countries before authorizing the exports.**

Recommendation 12: Information obtained in investigations into seizures or intercepted shipments of precursors is important for the identification of new trends in illicit drug manufacture and trafficking in precursors. **The Board therefore calls upon all competent authorities effecting seizures or intercepting shipments of precursors to investigate those cases and to inform the Board of the results of those investigations.**

Recommendation 13: The PEN Online system has facilitated communication among Governments and has been instrumental in identifying suspicious transactions and preventing diversion. **The Board encourages all Governments that have not yet done so to register for and use the PEN Online system.**

Recommendation 14: The annual legitimate requirements of ephedrine, pseudoephedrine, 3,4-MDP-2-P and P-2-P have been published in the 2006⁹⁸ and 2007⁹⁹ reports of the Board on the

implementation of article 12 of the 1988 Convention. In addition, a table showing the reported annual legitimate requirements for substances frequently used in the manufacture of ATS is available on the website of the Board (www.incb.org); the table is updated regularly. **The Board again requests all competent authorities to provide information on annual legitimate requirements of the above-mentioned precursor chemicals, to review the reported information and to amend it as necessary. The Board also invites competent authorities to inform the Board of any methodologies that they have found useful for estimating their national requirements for those precursor chemicals.**

Recommendation 15: Due to inadequate precursor control legislation and weaker monitoring and control mechanisms in many African countries, traffickers have been placing orders for precursor chemicals to be delivered to countries in Africa, from where the consignments are smuggled to the Americas. Moreover, the authorities of many African countries do not respond to pre-export notifications and to inquiries about the legitimacy of shipments of precursors in a timely manner. **The Board urges the Governments of the African countries affected by such transit traffic to put in place, as a matter of priority, the necessary legislative and institutional framework to effectively combat the smuggling of precursors through their territory. In addition, Governments should allocate adequate resources for staff development to enable the competent authorities to perform their regulatory and enforcement roles efficiently. In particular, the Board calls on the Governments of all countries in Africa to strengthen their controls over the import of precursors of ATS and the movement of such precursors within their territory. Countries and territories exporting ephedrine and pseudoephedrine are urged to confirm the**

⁹⁸ *Precursors and Chemicals Frequently Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances: Report of the International Narcotics Control Board for 2006 ...*, annex V.

⁹⁹ *Precursors and Chemicals Frequently Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances: Report of the International Narcotics Control Board for 2007 ...*, annex V.

legitimacy of shipments of ephedrine, pseudoephedrine or preparations containing those substances to any country before approving such shipments.

Recommendation 16: The problem of diversion of precursor chemicals from domestic distribution channels for smuggling to areas where drugs are illicitly manufactured continues to exist. **In order to address the problem, the Board recommends that Governments should take additional measures to monitor more closely the manufacture and domestic distribution of precursor chemicals.**

Recommendation 17: Activities undertaken within the framework of Project Prism have confirmed that, in most parts of the world, traffickers are increasingly trying to obtain large amounts of pharmaceutical preparations containing ephedrine or pseudoephedrine from licit trade at the national and international levels. **The Board recommends that all Governments control pharmaceutical preparations containing ephedrine or pseudoephedrine the same way as they control the raw chemicals ephedrine and pseudoephedrine. At the very least, pre-export notifications for shipments of such preparations should be sent.**

Recommendation 18: It is important that the Board is provided with detailed information on the use of non-scheduled substances in the illicit manufacture of ATS so that it may alert all relevant competent authorities of the latest trends in diversion and trafficking. **The Board encourages Governments to put in place effective mechanisms for identifying and investigating suspicious transactions involving such non-scheduled substances.**

Prevention of illicit drug trafficking and abuse

734. One of the fundamental objectives of the international drug control treaties is to limit to legitimate purposes the production, manufacture, export, import and distribution of, trade in and use of controlled substances and to prevent their diversion and abuse.

Recommendation 19: The diversion from domestic distribution channels and abuse of

pharmaceutical preparations containing narcotic drugs or psychotropic substances pose problems in many countries. **The Board invites all Governments concerned to examine the issue of diversion of pharmaceutical preparations containing internationally controlled substances and to adopt adequate countermeasures, as appropriate. The Governments are invited to raise awareness in their countries about the consequences of the abuse of such preparations.**

Recommendation 20: The diversion from licit distribution channels of pharmaceutical preparations containing buprenorphine, an opioid which is used as analgesic and for the treatment of opioid addicts, has become a matter of growing concern. **The Board calls on all Governments to increase their vigilance with regard to the diversion and abuse of and trafficking in buprenorphine and to inform the Board of new developments. The Board encourages all Governments concerned to consider enhancing existing mechanisms for control over that substance, as necessary.**

Recommendation 21: The Board notes that worldwide consumption of methadone has significantly increased mostly as a result of the growing use of methadone for substitution treatment. At the same time, there has been an increasing number of reports on the abuse and diversion of methadone. **The Board requests the authorities of countries where methadone is used for medical purposes to prevent its diversion from licit sources into illicit channels.**

Recommendation 22: Trafficking in and abuse of fentanyl and its analogues continue to pose a problem in some countries. **The Board calls upon Governments that reported seizures of fentanyl or its analogues to systematically collect data on the extent of the problem and to adopt measures to counter trafficking in and abuse of those drugs, as necessary. The Board encourages Governments to ensure that forensic laboratories include in their programmes the analysis of fentanyl and its analogues seized in their countries and to**

report to the Board on the prevalence of fentanyl abuse.

Recommendation 23: Abuse of diverted pharmaceutical preparations containing fentanyl, including used and discarded fentanyl patches, has been reported in some countries. **The Board calls upon the Governments of countries in which fentanyl patches are manufactured to examine, in cooperation with the pharmaceutical industry, possible ways to address the issue of the residue of fentanyl in used patches without impeding access to an otherwise useful medicine. The Board requests the Governments of all countries in which fentanyl patches are used to adopt measures for the disposal of used patches, in order to prevent their diversion for abuse.**

Recommendation 24: The Board notes with concern that drug injection rooms continue to operate in a small number of countries, mainly in Europe. The Board reiterates its position that facilities where persons can abuse with impunity drugs illegally acquired, contravene the most fundamental principle of the international drug control conventions: drugs should be used only for medical and scientific purposes. **The Board urges the Governments of countries where drug injection rooms are operated for the purpose of administering illicitly obtained drugs, to close those facilities and to provide appropriate evidence-based medical services and facilities for the treatment of drug abusers.**

Recommendation 25: In accordance with article 38 of the 1961 Convention and article 20 of the 1971 Convention, parties are required to take all practicable measures for the prevention of abuse of narcotic drugs and psychotropic substances. **The Board calls upon all Governments that have not yet done so to establish a system to regularly assess trends in drug abuse in their territory and to establish drug demand reduction programmes to counter those trends, as necessary. The Board also encourages Governments of countries with existing drug demand reduction programmes, whenever possible and appropriate, to share national and local**

experiences with Governments of other countries.

Recommendation 26: Under the “Data for Africa” initiative, UNODC is working with Governments of countries in Africa to strengthen their data collection and reporting capacities, in order to remedy the inadequacy of information on drugs and crime in the region. **The Board encourages the Governments concerned to cooperate with UNODC in implementing the “Data for Africa” initiative.**

Recommendation 27: In Commission on Narcotic Drugs resolution 50/3, entitled “Responding to the threat posed by the abuse and diversion of ketamine”, the Commission encouraged Member States to consider adopting a system of precautionary measures for use by their government agencies to facilitate the timely detection of the diversion of ketamine. **The Board calls on all Governments to implement Commission resolution 50/3 without delay, to inform the Board of their national regulatory control measures for ketamine and to provide to the Board and to WHO all available information on the abuse of ketamine in order to assist WHO in its evaluation of ketamine for possible scheduling under the 1971 Convention.**

Recommendation 28: During the past several years, the abuse of and trafficking in piperazine-derived compounds have been noted. In a number of countries, some of those substances have already been placed under national control. The Board requested WHO in March 2007 to consider reviewing piperazine-derived compounds for possible scheduling under the 1971 Convention. **The Board urges all Governments to provide to WHO and the Board any information on the abuse of and trafficking in piperazine-derived compounds.**

Recommendation 29: Rising levels of cocaine abuse have been reported in many European Countries. **The Board encourages the Governments concerned to adopt comprehensive measures to prevent trafficking in and abuse of cocaine.**

Recommendation 30: There is a continued trend to use Africa for trans-shipment of large consignments of cocaine illicitly manufactured in South America. **The Board encourages Governments of countries in Africa and South America to further strengthen measures against trafficking in cocaine and to improve their cooperation in that regard.**

Recommendation 31: The Board notes with grave concern that the level of illicit opium poppy cultivation in Afghanistan reached a new peak in 2007. The Board wishes to emphasize the serious short-term and long-term consequences of such cultivation in Afghanistan and elsewhere, including the large number of drug-related deaths that are occurring in many countries. **The Board once again urges the Government of Afghanistan to meet the commitments made to the Board as part of the consultations under article 14 of the 1961 Convention and to take immediate measures to ensure a significant and sustainable reduction in illicit opium poppy cultivation. The Board urges the international community to increase the assistance provided to the Government of Afghanistan to address its drug problem, particularly with regard to the illicit cultivation of opium poppy.**

Recommendation 32: The Board notes with grave concern that corruption is hindering efforts to eradicate illicit opium poppy cultivation and to strengthen drug control in Afghanistan. **The Board urges the Government of Afghanistan to take appropriate action against corruption and to ensure accountability at all levels of Government.**

Recommendation 33: **In the light of the increased illicit manufacture of heroin in Afghanistan, the Board urges the Governments of Afghanistan and its neighbouring countries to implement measures to counter the smuggling of precursor chemicals, in particular acetic anhydride, into Afghanistan. The Governments of Afghanistan and its neighbouring countries should also cooperate fully with the Project Cohesion Task Force in taking measures to intercept**

consignments of acetic anhydride that are being smuggled into Afghanistan.

Availability and rational use of narcotic drugs and psychotropic substances for medical purposes

735. A core objective of the international drug control treaties is to ensure the availability of narcotic drugs and psychotropic substances for medical purposes and to promote the rational use of controlled drugs.

Recommendation 34: The consumption levels of narcotic drugs and psychotropic substances continue to differ widely depending on the country and region. While such differences can sometimes be explained by cultural diversity in medical practice and variations in prescription patterns, the issue of excessively high or low levels of drug consumption merits special attention. **The Board requests all Governments to identify unusual trends in the consumption of internationally controlled substances and to promote rational use of those substances, including the use of opioids for the treatment of pain, in accordance with the pertinent recommendations of WHO.**

Recommendation 35: In cooperation with the Board, WHO prepared the Access to Controlled Medications Programme, which addresses, inter alia, causes for underuse of opioid analgesics in some countries. **The Board encourages all Governments concerned to cooperate with WHO in the implementation of the Access to Controlled Medications Programme, with a view to promoting rational use of controlled substances by health-care professionals, in compliance with current best practices and scientific evidence. The Board calls on Governments to provide resources to WHO for the implementation of the Programme.**

Recommendation 36: Pursuant to Commission on Narcotic Drugs resolutions 44/15, 45/5, 46/6 and 50/2, the Board urges Governments to notify the Board of restrictions in their national jurisdictions applicable to travellers under medical treatment with internationally controlled drugs. The Board will disseminate such information on a regular

basis. **The Board calls on all Governments that have not yet done so to inform the Board of their current national regulations and restrictions applicable to travellers carrying medical preparations containing internationally controlled substances for personal use. Governments should notify the Board of any changes in their scope of control of narcotic drugs and psychotropic substances relevant to travellers under medical treatment carrying preparations containing internationally controlled substances.**

The Internet and smuggling involving postal and courier services

736. In view of the global nature of the problems of the illegal sale of pharmaceutical preparations containing internationally controlled substances through the Internet and the misuse of postal and courier services for such smuggling, concerted action by the international community is required. In particular, there is a need to establish a mechanism that will ensure the sharing of experiences and the rapid exchange of information on specific cases, as well as the standardization of data.

Recommendation 37: There is a growing number of cases involving the illegal sale by Internet pharmacies of pharmaceutical preparations containing narcotic drugs or psychotropic substances. **The Board calls on all Governments to accord adequate importance to the detection and investigation of such cases and to undertake all measures necessary to ensure that legislative and regulatory provisions are in force in their territory to effectively counteract such illegal transactions. Governments should also ensure that customers of Internet pharmacies are made aware of the potential health risk associated with consuming pharmaceutical preparations obtained from illegal Internet pharmacies. In addition, Governments should seek the cooperation of professional and consumer interest groups in identifying and implementing measures to counteract illegal activities of Internet pharmacies.**

Recommendation 38: The Board continues to collect information on the activities undertaken

by Governments to counteract illegal sales of pharmaceutical preparations containing controlled substances. **All Governments are encouraged to provide the Board with information on national legislation related to Internet services and sites, national cooperation mechanisms, practical experience in the control and investigation of illegal Internet pharmacies and contact details of national focal points for activities related to the issue of illegal Internet pharmacies.**

Recommendation 39: Some Governments have reported to the Board cases involving the misuse of courier services for drug smuggling. **The Board invites all Governments to provide it with pertinent information on the smuggling of controlled drugs involving the misuse of courier services.**

Smuggling and abuse of counterfeit preparations containing narcotic drugs and psychotropic substances

737. Pharmaceutical preparations containing narcotic drugs or psychotropic substances found in the illicit traffic are not necessarily always diverted from licit manufacture or trade. In some cases, increased demand for a specific pharmaceutical preparation containing a controlled substance has led to the manufacture of counterfeit preparations.

Recommendation 40: While the diversion of flunitrazepam from both international trade and domestic distribution channels continues to exist, it appears that the majority of the Rohypnol tablets seized nowadays are counterfeit products. **To accurately assess illicit drug manufacture and trafficking trends, the Board encourages all Governments that experience problems with abuse of Rohypnol tablets to test the seized tablets, whenever possible, in order to determine if they are counterfeit. The Board also encourages those Governments to share information on the physical appearance of seized tablets with other concerned Governments through a profiling network and to report their findings to the Board.**

B. Recommendations to the United Nations Office on Drugs and Crime and to the World Health Organization

738. UNODC is the primary United Nations entity responsible for the provision of technical assistance in drug control issues, as well as the coordination of such assistance provided by Governments and other organizations. The treaty-based function of WHO is to provide recommendations, based on medical and scientific assessments, regarding changes in the scope of control of narcotic drugs under the 1961 Convention and the scope of control of psychotropic substances under the 1971 Convention. Furthermore, WHO plays a key role in supporting the rational use of narcotic drugs and psychotropic substances worldwide.

Recommendation 41: The Board notes that the control of licit activities related to narcotic drugs, psychotropic substances and precursors in a number of countries remains weak. **The Board invites UNODC to increase its support to Governments in their efforts to implement the provisions of the international drug control treaties regarding the control of licit activities involving internationally controlled substances.**

Recommendation 42: The Board is concerned about the steadily increasing trend in the diversion and abuse of pharmaceutical preparations containing internationally controlled substances. **The Board invites UNODC to support Governments in their efforts to monitor consumption trends and prevent the diversion and abuse of pharmaceutical preparations containing narcotic drugs or psychotropic substances (see also the corresponding request addressed to Governments in recommendation 19 above).**

Recommendation 43: The Board notes the increase in the abuse of and trafficking in fentanyl and its analogues and concerned that many Governments are still not in a position to counteract that problem due to, inter alia, inadequate laboratory analysis. **The Board requests UNODC to support Governments in their efforts to include the analysis of fentanyl and fentanyl analogues in the programmes of their forensic laboratories (see also the**

corresponding request addressed to Governments in recommendation 22 above).

Recommendation 44: Misuse of the Internet and postal and courier services has become an important method of obtaining drugs for abuse. **The Board invites UNODC to develop programmes to address the problem of illegally operating Internet pharmacies and the smuggling of internationally controlled substances by mail and to share its experiences in the implementation of those programmes with the Board.**

Recommendation 45: Abuse of and trafficking in some piperazine-derived compounds, such as *N*-benzylpiperazine (BZP) and 1-(3-chlorophenyl)piperazine (*m*CPP), have been reported in many countries. There appear to be no current therapeutic uses for those compounds. **The Board invites WHO to take the necessary measures to assess piperazine-derived compounds in order to determine whether to recommend that they be placed under international control (see the corresponding request addressed to Governments in recommendation 28 above).**

C. Recommendations to other relevant international organizations

739. In cases where States require additional operational support in specific areas, such as drug law enforcement, the Board addresses relevant recommendations pertaining to the specific spheres of competence of the relevant international and regional organizations, including Interpol, UPU, the World Customs Organization and the European Union.

Recommendation 46: An increase in the clandestine manufacture of and trafficking in synthetic opioids, such as fentanyl, has been noted in some regions. Similarly, reports on increasing seizures of ketamine and piperazine-derived compounds have been received from a number of countries. **The Board requests Interpol and the World Customs Organization to share with the Board and with the international organizations concerned, such as WHO and UNODC, any information they may**

have on new developments regarding the clandestine manufacture of and trafficking in synthetic opioids, such as fentanyl, and seizures of ketamine and piperazine-derived compounds.

Recommendation 47: The Board reiterates the need to address the problems of illegally operating Internet pharmacies and the smuggling of controlled substances by mail. **The Board invites international organizations, in particular UPU, Interpol and the World Customs Organization, to share with the Board relevant experiences gained from any programmes they are implementing to address the problems of illegally operating Internet pharmacies and the smuggling of controlled substances by mail (a similar request is addressed to UNODC in recommendation 44 above).**

Recommendation 48: **Technical assistance would be required for Bosnia and Herzegovina to prepare a comprehensive national strategy**

on drug abuse and to assess the extent and nature of the drug problem in the country. Such assistance would help the Government to fully implement the provisions of the international drug control treaties. The Board draws the attention of the European Union to the need to offer assistance to Bosnia and Herzegovina in institution- and capacity-building, including the training of personnel of the competent authorities involved in drug control.

(Signed)
Philip O. Emafo
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(Signed)
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