

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

842. The Board monitors the implementation by Governments of the three international drug control conventions and examines the functioning of the international drug control system at the national and international levels. The Board, on the basis of its findings, makes recommendations to Governments, as well as international and regional organizations, to enhance the implementation of and compliance with the conventions.

843. The present chapter draws attention to the key recommendations in connection with chapters II and III of this report. The recommendations concerning the issue of shared responsibility in international drug control are contained in chapter I. Specific recommendations aimed at improving the control of precursor chemicals are contained in the 2012 report of the Board on the implementation of article 12 of the 1988 Convention.<sup>36</sup> The Board urges Governments and relevant international and regional organizations to review and implement, as soon as possible, all of the recommendations made by the Board, as appropriate. The Board calls on Governments to notify the Board of actions taken to address the recommendations made in this report.

### A. Recommendations to Governments

844. The following recommendations to Governments are presented by subject area: treaty accession; treaty implementation and control measures; prevention of illicit drug production, manufacture, trafficking and abuse; and substances not under international control.

#### 1. Treaty accession

845. The 1961 Convention as amended by the 1972 Protocol, the 1971 Convention and the 1988 Convention form the framework of the international drug control system. Universal accession to the conventions and universal implementation by States of the provisions of the conventions are a fundamental prerequisite for effective drug control efforts worldwide aimed at ensuring access to narcotic drugs and

psychotropic substances for medical and scientific purposes while preventing their diversion to illicit production, manufacture, trafficking and abuse.

*Recommendation 1:* The Board notes that a total of 17 States<sup>37</sup> have not yet become parties to all of the international drug control treaties. In addition, Afghanistan and Chad have not yet acceded to the 1972 Protocol amending the 1961 Convention. The Board urges those Governments to accede to all of the international drug control treaties as a matter of urgency.

#### 2. Treaty implementation and control measures

846. While universal accession to the three international drug control conventions is necessary, it alone is not sufficient to address drug-related problems. In that regard, universal implementation of all provisions of the treaties and the effective application of the necessary control measures by all Governments is essential.

*Recommendation 2:* National legislation in some countries is not in line with all provisions of the international drug control treaties. Likewise, in some countries the lists of substances controlled at the national level do not include all substances contained in the schedules of the 1961 Convention and the 1971 Convention or in the Tables of the 1988 Convention. The Board reiterates its call on Governments to review their laws and regulations to verify that they are in line with all provisions of the international drug control treaties and that all substances under international control are under national control in their countries. If necessary, Governments should amend their laws and regulations, as well as amend the national schedules of controlled substances, so as to comply with the treaties.

*Recommendation 3:* Some Governments, among them major manufacturing countries, experience difficulties in reporting accurately and in a timely manner to the Board data on substances under international control, in particular after changes of staff or after the restructuring of the competent authorities. To avoid such difficulties, the Board encourages all Governments to provide for the training of staff to enable them to fulfil the reporting obligations under the international drug control

<sup>36</sup> *Precursors and Chemicals Frequently Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances: Report of the International Narcotics Control Board for 2012 on the Implementation of Article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988* (United Nations publication, Sales No. E.13.XI.4).

<sup>37</sup> Bolivia (Plurinational State of), Cook Islands, Equatorial Guinea, Haiti, Kiribati, Liberia, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Somalia, South Sudan, Timor-Leste, Tuvalu and Vanuatu.

conventions and to take the necessary steps to maintain the knowledge base of their staff at times of change.

*Recommendation 4:* Many Governments are making use of electronic systems to collect and compile data as required under the conventions. The Board welcomes the introduction of new technologies to facilitate such work. The Board notes, however, that in some countries the quality of information collected from national stakeholders, including information collected using electronic tools, is low. The Board reminds Governments of their responsibility to ensure that all national stakeholders are fully aware of the reporting requirements and that any system at the national level for collecting data and reporting to the Board is designed and implemented in a way that is compatible with the provisions of the relevant international treaties. The Board invites all Governments to establish regular training sessions for national stakeholders on such systems and on the reporting requirements under the international drug control conventions.

*Recommendation 5:* The Board notes with serious concern the ongoing move towards the legalization of cannabis for non-medical purposes in some parts of the United States and, in particular, the outcomes of recent ballot initiatives that took place in the states of Colorado and Washington in November 2012. The Board stresses the importance of universal implementation of the international drug control treaties by all States parties and urges the Government of the United States to take the necessary measures to ensure full compliance with the international drug control treaties on its entire territory.

#### (a) Narcotic drugs and psychotropic substances

*Recommendation 6:* In many countries, insufficient control measures governing the prescribing, distribution and sale of prescription drugs contribute to the diversion of those drugs for abuse. The Board urges Governments concerned to adopt and implement effective control measures for the prescribing of medicines containing narcotic drugs and psychotropic substances by health-care professionals, their distribution by wholesalers and their sale by pharmacies.

*Recommendation 7:* The diversion from international trade of psychotropic substances listed in Schedules III and IV of the 1971 Convention may occur when import and export authorizations are not required for those substances, as is the case in some countries. The Board reiterates its call for all Governments that do not yet require import and export authorizations for all psychotropic substances to extend the requirement of import and export authorizations to all psychotropic

substances as soon as possible. Furthermore, the Board encourages the countries that have introduced such authorization requirements for all psychotropic substances, but which have subsequently exempted some preparations from the import and export authorization requirements, to reconsider those exemptions, where appropriate.

*Recommendation 8:* The Board welcomes the development, by UNODC with the support of the Board and some Governments, of an international electronic import and export authorization system for narcotic drugs and psychotropic substances, pursuant to Commission on Narcotic Drugs resolution 55/6. Such a system would assist national drug control authorities in their work and enhance compliance with the requirements set out in the international drug control conventions. The Board encourages Governments to continue to support the development and maintenance by UNODC of an international electronic import and export authorization system and to utilize that system without delay, once it is developed (see also recommendation 36 below).

*Recommendation 9:* The Board notes that most actions taken by Governments to support rational use of controlled substances have focused on opioid analgesics. There is also a need for more targeted action to ensure adequate availability and rational use of psychotropic substances in all countries. The Board recommends that Governments (a) regularly collect reliable data on the consumption of psychotropic substances and share such data with the Board to allow accurate analysis of levels of consumption in their country; (b) identify whether there are other non-specific substances used in their territory that are not under international control and which might have an impact on the consumption of appropriate medications used to treat mental and other diseases commonly treated with psychotropic substances; (c) compare consumption levels in their country with those in other countries and regions with a view to identifying insufficient or excessive consumption; and (d) take the appropriate actions to promote the rational use of psychotropic substances in their countries in accordance with the recommendations contained in the 2010 Report of the International Narcotics Control Board on the Availability of Internationally Controlled Drugs: Ensuring Access for Medical and Scientific Purposes.<sup>38</sup>

<sup>38</sup> United Nations publication, Sales No. E.11.XI.7.

**(b) Precursors**

*Recommendation 10:* The growing diversion of chemicals from domestic distribution channels has become the most common method of obtaining several precursor chemicals for the illicit manufacture of narcotic drugs and psychotropic substances. The Board urges Governments to review existing domestic control systems to identify and address any weaknesses in the control of domestic trade in and distribution of precursor chemicals. Declaration of end-use and an understanding of the legitimate requirements for precursor chemicals by registered companies are among the key control measures that can assist Governments in preventing diversions.

*Recommendation 11:* Universal implementation by all Governments of the provisions of article 12, paragraph 10 (a), of the 1988 Convention would ensure a robust and practical global mechanism for the control of international trade in scheduled chemicals. The Board encourages Governments that have not yet invoked article 12, paragraph 10 (a), of the 1988 Convention to do so without delay, since it would oblige exporting countries to issue notifications of all shipments of precursors destined for their country.

*Recommendation 12:* The Board reminds all Governments exporting scheduled chemicals to countries that have invoked article 12, paragraph 10 (a), of the 1988 Convention of their obligation to provide notification of such shipments prior to departure, and recommends using the PEN Online system for such notifications, pursuant to Security Council resolution 1817 (2008).

*Recommendation 13:* The Board encourages all Governments to actively review pre-export notifications sent to their country and to communicate any objection to these in a timely manner via the PEN Online system in order to maintain an unbroken chain of monitoring trade in chemicals.

*Recommendation 14:* High estimates of annual legitimate requirements for imports of ephedrine and pseudoephedrine in some countries put those countries at risk of being targeted by traffickers seeking to divert those substances for use in the illicit manufacture of amphetamine-type stimulants. The Board encourages all countries that identify the diversion of precursors for amphetamine-type stimulants to re-evaluate their requirements for those substances and to inform the Board without delay about any such changes.

*Recommendation 15:* In 2012, the Board launched the Precursors Incident Communication System (PICS) to

assist Governments in responding to rapidly changing trends in the diversion of chemicals used in the illicit manufacture of drugs. In addition to a proactive sharing of information on identified precursor incidents, the main objective of the communication system is to trigger and stimulate bilateral and multilateral cooperation among the users of the system, including launching of joint investigations. The objective of the system is to provide a universal platform for communication of precursor incidents in real-time and to complement the exchange of information on licit trade in precursors through PEN Online. The national competent authorities of all countries that have not yet done so are encouraged to register for use of PICS and thereby benefit from its use.

### 3. Prevention of illicit drug production, manufacture, trafficking and abuse

847. Parties to the international drug control treaties have an obligation to limit to legitimate purposes the production, manufacture, export, import and distribution of, trade in and use of internationally controlled substances and to prevent their diversion and abuse.

*Recommendation 16:* The drug control situation in Afghanistan continues to be of great concern. In 2012, illicit opium poppy cultivation in Afghanistan continued to increase, involving half of the country's 34 provinces. The number of opium poppy-free provinces in Afghanistan remained at 17 in 2012. Illicit production of cannabis and cannabis resin has spread, with illicit cultivation of cannabis plant now occurring in 21 provinces. The Government of Afghanistan has recently launched several drug control policy documents, including the National Drug Demand Reduction Policy for the period 2012-2016, the National Alternative Livelihood Policy and the Anti-Drug Trafficking Policy. The Board appreciates the goals set out in those policy documents, including the reduction of the illicit cultivation of opium poppy and of illicit production and manufacture of narcotic drugs, an increase in drug seizure rates and an increase in drug abuse prevention and treatment capacity by up to 40 per cent over the next five years. The Board urges the Government of Afghanistan to take adequate measures to implement those policy documents. The Board encourages all Governments and relevant international entities, including UNODC, to assist the Government of Afghanistan in implementing those goals.

*Recommendation 17:* The Board notes with concern the continuous increase of the illicit opium poppy cultivation in the Lao People's Democratic Republic and Myanmar. The Board urges the Governments of those countries to

take the necessary actions to curtail illicit opium poppy cultivation. The Board calls on the international community, in particular UNODC, and other countries of the region, to strengthen assistance to the Lao People's Democratic Republic and Myanmar, including for alternative development programmes and illicit crop eradication.

*Recommendation 18:* The region of South America continues to suffer from the illicit cultivation of coca bush, as well as the illicit manufacture of and trafficking in cocaine. The Board urges the Governments concerned, in particular Bolivia (Plurinational State of), Colombia and Peru, to further strengthen their efforts to eliminate the illicit cultivation of coca bush and the illicit manufacture of cocaine. All Governments of countries in the region are encouraged to take comprehensive steps to address trafficking in cocaine in a decisive manner.

*Recommendation 19:* Trafficking organizations have continued to use submersible and semi-submersible vessels to minimize the risk of detection of the smuggling of cocaine from South America. The Board calls on the Governments of the countries concerned in the Americas to take further measures to combat this kind of maritime drug trafficking and to strengthen regional and interregional cooperation in that regard.

*Recommendation 20:* The large seizures of cannabis in South America in recent years continue to raise concerns regarding the magnitude of illicit cannabis production in the region. The Board calls upon the Governments of the countries in South America to determine, to the extent possible and in cooperation with UNODC, the magnitude of and current trends in the illicit cultivation of cannabis plant and to further strengthen their efforts to combat such cultivation.

*Recommendation 21:* The level of abuse of cannabis in Europe remains high, and the need for treatment of cannabis abuse has increased dramatically in many countries. The Board notes with concern the continuing increase in illicit cultivation of cannabis plant, especially indoors, in Western and Central Europe, as well as the growing involvement of criminal groups, as reported by a number of countries. The Board is also concerned about the continuing trafficking of significant quantities of cannabis herb in South-Eastern Europe, as well as the increasing illicit production of cannabis herb in the subregion. The Board reminds Governments of countries in Europe of the need to systematically address the illicit cultivation of cannabis, and calls on Governments to step up efforts to prevent the abuse of

cannabis and reinforce efforts to meet the growing demand for treatment services related to cannabis abuse.

*Recommendation 22:* East and South-East Asia continue to be an illicit manufacturing hub and a growing illicit market for amphetamine-type stimulants, in particular methamphetamine. The illicit manufacture of amphetamine-type stimulants has expanded from traditional manufacturing countries, such as China and Myanmar, to other countries, including Cambodia, Indonesia, Malaysia, the Philippines and Thailand. The Board urges Governments of countries in the region to devise and implement appropriate strategies to address the illicit manufacture of, trafficking in and abuse of amphetamine-type stimulants.

*Recommendation 23:* The Board is concerned that the illicit manufacture of methamphetamine has taken hold in countries of West Africa, including Nigeria. Methamphetamine has been trafficked from countries of West Africa to East Asia, predominantly Japan and the Republic of Korea. The Board calls on countries in West Africa to take measures necessary to address this problem.

*Recommendation 24:* The abuse of prescription drugs containing controlled substances continues to be a growing problem in all regions of the world and is posing serious health and social challenges in some countries. The Board recommends that Governments collect information on the nature and extent of the abuse of prescription drugs by including them in national drug abuse surveys; formulate and implement effective awareness-raising and prevention strategies targeting the general public and the health-care professions; develop professional guidelines and codes of conduct; enhance training programmes for health-care professions to promote rational prescribing and dispensing of prescription drugs; and offer treatment modalities for prescription drug abuse. The Board further urges all Governments to take measures to prevent the diversion and illicit manufacture of prescription drugs as an effective way to prevent abuse, while at the same time ensuring their availability for licit purposes.

*Recommendation 25:* The Board remains concerned about the high levels of consumption of methylphenidate and other substances used in the treatment of Attention Deficit Hyperactivity Disorder (ADHD), which has led to the widespread diversion and abuse of pharmaceutical preparations containing those substances. The Board recommends that Governments closely monitor the consumption levels of all stimulants used in the treatment of ADHD; ensure that such substances are prescribed in accordance with sound medical practice



and in line with the rational use of psychoactive drugs and that patients and, in the case of children, their guardians are informed of the risks and consequences of the abuse of such substances; ensure that the control measures foreseen in the 1971 Convention are applied to those substances; and take additional measures, such as enforcing safety measures for storage and distribution at schools, as necessary, to prevent the diversion and abuse of preparations containing stimulants used for the treatment of ADHD. The Board calls on all Governments to inform it of any new development with regard to the diversion of, trafficking in and abuse of those substances.

*Recommendation 26:* One of the factors contributing to the diversion of prescription drugs for abuse is that, in many communities, no disposal mechanisms exist for prescription drugs that are no longer needed for medical purposes. The Board wishes to remind Governments that the development of effective mechanisms for the disposal of unutilized pharmaceuticals containing controlled substances is an essential component of any effective strategy against prescription drug abuse, and encourages all Governments to adopt such measures.

*Recommendation 27:* The increasing levels of drug abuse reported by many African countries might translate into a greater demand for treatment and rehabilitation. The Board notes that the national health-care systems of many countries in Africa are not able to adequately meet demand for treatment of drug abuse and rehabilitation. Treatment in the region — mostly in the form of detoxification — is provided predominantly in State mental health hospitals and/or psychiatric institutions. The number of trained personnel is insufficient, and there is a lack of access to and availability of drug dependence treatment and rehabilitation facilities for people in need. The Board calls on the Governments of African countries to improve the range of treatment options available to drug-dependent persons and to facilitate their access to quality and affordable treatment services by providing support for the development and strengthening of such services and capacity-building for the entities that provide such services.

#### 4. Substances not under international control

848. An increasing number of countries report problems with emerging substances of abuse that are not under international control.

*Recommendation 28:* The collection of information is central to efforts by Governments to develop strategies intended to limit the risks to public health posed by the emergence of new psychoactive substances of abuse.

Without comprehensive data on prevalence, populations specifically at risk and patterns of abuse, it is impossible to evaluate the extent of the abuse of new psychoactive substances. The Board encourages all Governments to establish formal mechanisms aimed at collecting information regarding new psychoactive substances, including information regarding their chemical composition, patterns of abuse, marketing techniques, trade names, distribution and diversion methods and countries of origin. Governments should include emerging psychoactive substances in their national drug abuse surveys and report the findings of those studies to INCB and WHO, as well as disseminating them to the public as an additional means of raising awareness.

*Recommendation 29:* The operation of early warning systems at the national and regional levels has proven very useful in the timely identification of emerging psychoactive substances of abuse, allowing Governments to take swift and targeted action to address potential threats to public health. The Board encourages those Governments which have not yet done so to consider establishing early warning systems and to establish mechanisms for the sharing of information with other States and with multilateral stakeholders including WHO, INTERPOL, the World Customs Organization, UNODC and INCB.

*Recommendation 30:* The Board notes that many Governments do not currently include emerging psychoactive substances of abuse within the scope of their prevention programmes. In order to raise awareness of the public health dangers associated with many emerging psychoactive substances and to dispel any misconception that those substances are safe since they are not controlled, the Board invites all Governments to include emerging psychoactive substances of abuse within the scope of all existing prevention programmes and, if deemed necessary, to design specific prevention initiatives targeting that phenomenon.

*Recommendation 31:* The Board notes that the distribution of new psychoactive substances of abuse through the Internet has in many cases impeded Government efforts to limit the supply of those substances, which are readily available from online sources. INCB encourages Governments to monitor the activities of websites selling emerging psychoactive substances of abuse, and products containing them, based in their territory, as well as such websites based in other countries, and to share information with the competent authorities of those countries. In addition, the Board invites Governments to apply the recommendations contained in the Board's *Guidelines for Governments on Preventing the Illegal Sale of*

***Internationally Controlled Substances through the Internet to address the sale of new psychoactive substances on the Internet.***

*Recommendation 32:* The Board acknowledges the adoption by several States of “emergency scheduling” procedures for submitting emerging psychoactive substances of abuse to temporary control measures in cases in which there is reason to believe that those substances may constitute a risk to public health. The Board notes that these measures have been highly effective in ensuring that the public is not unnecessarily put at risk before a comprehensive evaluation of the substance can be undertaken by national authorities, and encourages States that have not yet adopted “emergency scheduling” measures to consider doing so.

*Recommendation 33:* The utilization of plant-based preparations that are not under international control and contain natural psychoactive ingredients is part of traditional indigenous rituals and religious ceremonies in some countries. Outside of their original sociocultural context, the use of those plant materials has posed problems in some countries. INCB reiterates its recommendation to the Governments of countries where misuse of and trafficking in such plant materials may occur to remain vigilant and take appropriate action at the national level, where the situation so requires.

*Recommendation 34:* The Board is concerned about the growing abuse in some African countries of tramadol, a synthetic opioid not under international control, as well as the increase in trafficking of tramadol preparations to Africa, as evidenced by recent large seizures of such preparations in some countries of West Africa. The Board notes that in response to those developments, some African countries have placed tramadol under national control. The Board calls on countries in Africa to take the measures necessary to address this problem and to furnish pertinent information on the extent and nature of abuse of and trafficking in tramadol to WHO and the Board.

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

849. UNODC is the principal United Nations entity mandated to provide technical assistance and coordination in drug control matters for Governments and other international organizations. Under the treaties, WHO is responsible for providing recommendations, based on medical and scientific assessments, regarding changes in the scope of control of narcotic drugs under

the 1961 Convention and psychotropic substances under the 1971 Convention.

*Recommendation 35:* The Board notes that UNODC is developing a project aimed at building national capacities in regulatory control of internationally controlled substances. As part of the project, regional workshops will be organized and electronic learning tools provided to Governments, with the aim of improving drug control administration at the national level. INCB welcomes this project and invites UNODC to implement it as soon as possible.

*Recommendation 36:* The international electronic import and export authorization system for narcotic drugs and psychotropic substances, which is being developed by UNODC with the support of the Board and some Governments, will assist national drug control authorities in their work and ensure that the requirements set out in the international drug control conventions are complied with. In its resolution 55/6, the Commission on Narcotic Drugs invited the secretariat of the Board to administer such a system, in view of the core mandate of the Board to ensure and promote treaty compliance by Governments. INCB reminds the pertinent bodies of the United Nations that adequate resources for the administration of this system would need to be assured (see also recommendation 8 above).

*Recommendation 37:* The Board notes with appreciation the efforts being undertaken by UNODC on the issue of new psychoactive substances of abuse, particularly those aimed at collecting information regarding these substances and their abuse and at disseminating that information to Member States. INCB encourages UNODC to act as a focal point on the question of new psychoactive substances of abuse and to gather information from States regarding those substances and measures adopted to address the problem.

*Recommendation 38:* The Board notes that many States continue to experience obstacles to their ability to identify and control new psychoactive substances of abuse due to limited forensic capacity. INCB invites UNODC to continue to provide technical assistance to States, upon request, in order to assist them in bolstering the capacity of their institutions to deal with the problem of emerging psychoactive substances.

*Recommendation 39:* Emerging psychoactive substances of abuse have become a problem in many countries of all regions. Competent authorities of those countries would benefit from specific advice on health aspects of this problem. INCB encourages WHO to examine health hazards of emerging psychoactive substances and to share its findings with the international community (see also recommendation 29 above).

### C. Recommendations to other relevant international organizations

850. Other international organizations also assist in international drug control efforts. In cases where States require additional operational support in specific areas such as drug law enforcement, the Board addresses recommendations to the relevant international and regional organizations with specific competence in those areas, such as INTERPOL and the World Customs Organization.

*Recommendation 40:* The Board notes that the Regional Action Plan to Address the Growing Problem of Illicit Trafficking, Organized Crime and Drug Abuse in West Africa of the Economic Community of West African States (ECOWAS) expired in 2011. The plan, adopted in 2008, coordinated the efforts of ECOWAS member States to address the growing problem of drug trafficking, organized crime and drug abuse in West Africa. **INCB calls on the ECOWAS Commission and its member States to renew and extend the regional action plan as soon as possible to ensure a sustained political framework for addressing the world drug problem in the subregion.**

*Recommendation 41:* Emerging psychoactive substances of abuse have become a problem in all regions. The law enforcement authorities of many countries would benefit from specific advice on law enforcement aspects of this problem. **INCB invites INTERPOL and the World Customs Organization to continue to examine aspects of the problem of emerging psychoactive substances that fall within their mandate and to share their findings with the international community (see also recommendation 29 above).**

*(Signed)*

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*(Signed)*

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Vienna, 16 November 2012