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## **REPORT OF THE INTERNATIONAL NARCOTICS CONTROL BOARD**

### **STATEMENT BY MR. RAYMOND YANS, PRESIDENT, INTERNATIONAL NARCOTICS CONTROL BOARD**

**Fifty-seventh session of the Commission on Narcotic Drugs  
(13-21 March 2014)**

**Agenda Item 10 c:**

**Implementation of the international drug control treaties:  
International Narcotics Control Board**

Mr. Chair, Excellencies, Ladies and Gentlemen,

At the outset, allow me to congratulate you on the conclusion of the High-level Review, which, together with the preparations for the General Assembly Special Session, represents an affirmation of States' commitment to shared responsibility in international drug control.

I am pleased to present to you the INCB Annual Report for 2013, together with the INCB Annual Report on Precursor Chemicals. [These reports are accompanied by our technical publications on narcotic drugs and psychotropic substances.]

The INCB Annual Report for 2013 is the 45<sup>th</sup> report of the Board since its establishment in 1968 and the entry into force of the 1961 Single Convention. Since then, significant achievements have been seen in global drug control and new challenges have emerged. This year's chapter I is devoted to a discussion of the economic consequences of drug abuse, exploring the ways in which drug abuse affects the world.

The consequences of drug abuse cut across the areas of health, public safety, crime, productivity and governance. Our report highlights how drug abuse can disproportionately affect specific populations – such as women, low-income populations and those most vulnerable of all: children. The right of children to be protected from drug abuse is enshrined in the Convention of the Rights of the Child. Governments have an obligation to protect our most precious resource from drug abuse and its consequences.

The thematic chapter shows that investment in prevention, treatment and rehabilitation is a prudent “investment choice”, which can lead to significant savings in health-care and crime-related costs and alleviate the suffering associated with drug abuse. Indeed, for every dollar spent on prevention, Governments can save up to ten dollars in subsequent costs. Much remains to be done. For instance, it is estimated that only one in six problem drug users worldwide receives the treatment they need; the regional disparities are even more striking.

We conclude the thematic chapter with best practices and recommendations aimed at reducing the economic consequences of drug abuse. These include: prevention, treatment, rehabilitation and reintegration; more efficient justice systems and alternatives to incarceration; strengthened governance; integration of supply reduction into development programmes; maintaining and enhancing regulatory control systems, and, above all, the provisions of the three conventions and political declarations of 1998 and 2009.

The report reviews the functioning of the international drug control system. While the three international drug control conventions enjoy universal adherence, and despite their proven effectiveness, a number of States have still not acceded to them. As a result, these States are more vulnerable to diversion of controlled substances, drug abuse and illicit cultivation, production and trafficking. In Oceania, where the non-parties to the conventions are concentrated, this is of considerable concern, particularly in a region where many States do not have a clear picture of the drug abuse and drug trafficking problems on their territories. INCB urges those States that have not yet acceded to the conventions to do so as a matter of priority.

INCB reviews on an ongoing basis treaty compliance in all countries. In the report, we share the findings of a review of treaty compliance in a selected number of countries, which varies from year to year.

Subsequent to the completion of our report, legislation was passed in Uruguay, in December 2013, concerning the legalization of production, sale and consumption of cannabis for non-medical purposes. INCB has reiterated that such legislation contravenes the 1961 Convention. We are committed to dialogue with the Government of Uruguay and are pleased with the renewed close cooperation.

The report also refers to the legislative developments in the states of Colorado and Washington, in the United States, aimed at legalizing cannabis use for recreational purposes. State-licensed cannabis retailers opened on 1 January 2014 in Colorado, and may open in Washington later this year.

The 1961 Convention limits the use of cannabis to medical and scientific purposes, and INCB is committed to continuing its dialogue and cooperation with the Governments of the United States and Uruguay with a view to facilitating continued compliance with the treaties, to which they are party.

In the report, we also reiterate the importance of ensuring that medical cannabis programmes, where they exist, are fully compliant with the provisions of the 1961 convention.

Distinguished delegates,

Ongoing dialogue with Governments is essential to the work of INCB and we count on your cooperation and support, for instance in meeting treaty-based obligations for reporting to the Board and in facilitating country missions.

INCB country missions are a crucial element of our dialogue with Governments. The face-to-face discussions held on the ground with your national authorities enable us to better understand the intricacies of the national drug control situation and specific challenges faced.

As a result, we are in a better position to make targeted recommendations to improve your compliance with the treaties. The annual report presents the main findings of the Board's recent missions and includes a review of implementation by Governments of recommendations made by INCB following country missions held in 2009 and 2010.

INCB also values its cooperation with civil society and during our country missions we endeavour to meet with non-governmental organizations working at the grass-roots level, [especially in prevention, treatment and rehabilitation].

Mr. Chair,

INCB remains gravely concerned about the drug control problem in Afghanistan and the neighbouring region. Illicit opium poppy cultivation reached a record high in 2013, and illicit opium production also increased. In addition, the area of opium poppy eradication decreased by over 20 per cent compared with 2012. The illicit cultivation of the cannabis plant and production of cannabis resin remain a challenge in an already fragile region.

Almost fourteen years ago, in May 2000, INCB invoked article 14 of the 1961 Convention with regard to Afghanistan, in order to ensure the implementation of the treaties, and called for international cooperative action to resolve the situation. I am pleased to note that cooperation between INCB and the Government of Afghanistan has improved in recent years. Positive steps have been taken by the Government, for instance in strengthening control of licit activities, improving treaty-mandated reporting, and participating in precursor control activities, including by becoming a member of INCB's Project Cohesion. Continuing international and regional cooperation and support is essential if progress is to be seen and if the National Drug Control Strategy is to be translated into substantial, sustainable and measurable results.

Ensuring the availability of internationally controlled substances for medical and scientific purposes continues to be a priority for the Board. I will provide more information in this regard later on under item 10 (d).

The electronic International Import and Export System (I2ES), which is being developed by INCB in cooperation with UNODC, pursuant to resolutions 55/6 and 56/7 adopted by the Commission in recent years, will facilitate and expedite the work of national competent authorities and reduce the risk of diversion of narcotic drugs and psychotropic substances. The initial work on the system has been completed, a pilot has been conducted, and we look forward to its launch later this year. We also look forward to your continued participation and material support, and I would like to invite you to a side event on I2ES to be held this Thursday at 13:00 in Conference Room M2. I encourage you to attend to familiarize yourselves with this useful new tool.

Mr. Chair,

Prescription drug abuse has increased in all regions and has become a major threat to public health. In a number of countries, the prevalence of prescription drug abuse exceeds that of "illegal" drugs. As we note in our report, prescription drug disposal initiatives, have yielded significant results in some jurisdictions at a relatively low cost. These measures, which were recognized by the Commission in resolution 56/8, are highlighted as a special topic in the INCB annual report. The Board calls upon all States to develop strategies to

address prescription drug abuse and to expand such programmes to include all substances with psychoactive properties, whether available by prescription or not. Governments must also address the root causes of excessive supply of prescription drugs – such as overprescribing by medical professionals, “doctor shopping”, and inadequate controls on the issuing and filling of prescriptions.

The non-medical use of tramadol is also addressed as a special topic in the INCB report. Following the invitation to the Board in Commission resolution 56/14 on tramadol, INCB requested Member States to submit information on the use and control status of tramadol in their countries. The results of the analysis of the data provided by the 81 States that responded are detailed in the Annual Report. The data provided indicate that abuse of tramadol is a significant problem in a limited number of countries and that there are growing indications of non-medical use of tramadol and diversion to illicit channels. Given this, tramadol is controlled in most of the countries where it has been found to be abused. A number of other countries that have encountered problems with such abuse are considering placing tramadol under control. We note the importance of ensuring that tramadol is available for medical purposes. Therefore, INCB recommends that countries continue to monitor the situation and collect data on the use, abuse, illicit domestic and international distribution and manufacture of tramadol and share those data with the Board and the World Health Organization.

Ketamine, an anesthetic agent currently not under international control, is trafficked and abused in a large number of countries around the world. The Commission, in resolution 49/6 adopted in March 2006, called upon Member States to consider controlling the use of ketamine by placing it on the list of substances controlled under their national legislation, where the domestic situation so required. Furthermore, in resolution 50/3 of March 2007, 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.

INCB requested all Governments to provide it with information on the specific legal or administrative measures adopted pursuant to resolution 49/6, including information on measures to control ketamine and on ketamine imports, exports, seizures, abuse and trafficking. To date, a considerable number of countries and territories (63) have introduced an import authorization requirement for ketamine, and 57 countries and territories have introduced an export authorization requirement. The Board has made this information available to all Governments on its secure webpage for Governments, which the Board encourages them to consult prior to authorizing imports or exports of ketamine. INCB notes that ketamine is on the list of substances that are shortlisted for further review by the forthcoming WHO Expert Committee on Drug Dependence, which is scheduled to take place in June 2014. I understand that one of the Parties to the 1971 Convention recently initiated, with regard to ketamine, the procedure envisaged article 2 of that convention.

Mr. Chair,

New Psychoactive Substances (NPS) are a major concern to the Board. NPS pose a public health challenge in all regions. It is clear that existing tools and, perhaps new mechanisms, have to be used in order to address this complex issue.

In an effort to support information exchange between governments on the trafficking of these substances, INCB recently launched an international initiative known as “Project ION” (International Operations on NPS). A first operational meeting was held in Vienna which allowed participating Governments to share intelligence related to cases involving NPS trafficking. This has facilitated the launch of multilateral investigations by law enforcement agencies and enhanced cooperation between national authorities to address the problem.

The INCB Annual Report provides an analysis of developments in the global drug control situation, region by region, with a view to highlighting achievements and identifying weaknesses. Allow me to emphasise that this chapter in particular relies upon the information obtained from national reports, and reports of international and regional organizations. I encourage you to consult this text, which provides an overview of the world situation [and to provide information on your national drug control efforts and achievements on a regular basis].

Mr Chair, Excellencies,

Turning now to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, I urge parties to make use of the Board’s 2013 Report on precursors. The information it contains, based on INCB’s unique access to precursors data, makes it the most comprehensive report on the licit trade in precursors and patterns of trafficking in precursors.

This year’s report devotes a chapter to providing practical guidance. Entitled “Action to enhance international precursor control”, it includes an analysis of regional priorities and draws particular attention to the diversion of, and trafficking in, scheduled chemicals at the domestic level, and the increasing use of non-scheduled and newly emerging chemicals in the illicit manufacture of drugs.

The successes of the 1988 convention are based on the proactive and cooperative measures taken by States parties to prevent diversion of the 23 scheduled precursors from international trade. INCB has played a significant role in this regard by making available, with the support of Member States, a variety of technological tools that have facilitated cooperation between States. In particular, the Pre-Export Notification Online (PEN Online) system has, since 2006, enabled Governments to prevent the diversion of thousands of tons of chemicals, without hampering legitimate trade. Simply put, the PEN Online system has made it far more difficult for traffickers to obtain scheduled precursors from international trade.

However, evolving and worrying trends identified by INCB’s Precursors Report, such as the use of new substances to manufacture new and controlled drugs of abuse, point to an evolving paradigm in precursors control and drug trafficking. While we see very limited diversion from international licit trade, traffickers now source precursors from domestic distribution channels for onward smuggling. This is the case for acetic anhydride used in the manufacture of heroin in Afghanistan. We also know that potassium permanganate used in cocaine production is being illicitly manufactured by the traffickers themselves. To address the rise in incidents involving *alpha*-phenylacetoacetonitrile (APAAN), a pre-precursor used for the illicit manufacture of amphetamine, INCB recommended that APAAN and its optical isomers be included in Table I of the 1988 Convention. I urge you to take into account the findings of the Board in your review of the matter during the present session.

The online Precursors Incident Communication System (PICS) allows Governments to share real-time intelligence on diversions, attempted diversions and seizures of precursors and assists governments to launch investigations. Since its launch in 2012, PICS has provided national authorities with 24/7 access to the only secure, real-time intelligence system devoted exclusively to incidents involving precursors. To date, 1,000 incidents have been communicated via the system between national authorities involving 390 registered users in 89 countries and 8 international organizations across the globe. I would urge those countries that have not yet registered to do so as soon as possible to ensure that they are not missing out on valuable information that could help in their efforts to combat illicit trafficking organizations.

From an operational perspective, INCB has initiated flexible activities, such as under Project Prism and Project Cohesion, to address the illicit use of emerging, scheduled and non-scheduled substances.

INCB has also developed a project aimed at enhancing the exchange of information on acetic anhydride and precursors trafficking in Central and West Asia. This project is allowing government authorities in the regions concerned to better understand the current sources, routes and methods for diversion and trafficking of acetic anhydride into Afghanistan.

To prevent domestic diversion, countries are introducing new counter measures at the national level, which include strengthening industry involvement, which has proven both effective and necessary to ensure adequate control of precursors. Governments continue to be encouraged to develop working arrangements with the chemical industry as part of their national drug control strategies to prevent diversion at a national level.

Mr. Chair,

There is much work ahead for the international community towards improving the global drug control situation. INCB's Annual Report and Precursors Report serve as a "stock-take", so to speak, of achievements made and areas that need to be further addressed. The Board's recommendations presented in the reports are directed at Governments, and regional and international organizations, with a view to resolving weaknesses and gaps in the global drug control situation.

You, the Member States, have determined that the provisions of the conventions are key to addressing the global drug problem. At this time of discussion, among some, that alternative approaches are required, or of some jurisdictions pursuing paths that are not in compliance with the conventions, I urge you to recall that the conventions were developed out of concern for the health and welfare of humanity. Drug abuse and the associated illicit cultivation, manufacture and trafficking cause an immense amount of suffering. The conventions set out the requirements for preventing and reducing such suffering while at the same time ensuring access to essential controlled medicines. This is founded upon a balanced approach to drug control, requiring due attention to both demand reduction – prevention, treatment and rehabilitation - and supply reduction – law enforcement and judicial measures founded upon the principle of proportionality and respect for human rights.

Successfully addressing the world drug problem is contingent upon the full realization of States' commitments to implementing the three drug control conventions. I urge you to

exercise your shared responsibility in drug control to prevent and address the consequences of drug abuse and illicit drug cultivation, manufacture and trafficking.

Thank you.