

III. Analysis of the world situation

A. Africa

Major developments

178. Trafficking in and abuse of narcotic drugs and psychotropic substances are increasingly being linked to the various civil conflicts in Africa. The ongoing conflicts and post-conflict situations that prevail in several African countries are conducive to increasing drug problems among children and youth in particular. In the Democratic Republic of the Congo and Liberia, for example, child combatants were provided with drugs in order to induce them to carry out dangerous operations with impunity. It is also believed that illicit drugs are used to finance civil conflicts and the purchase of arms, as was the case in Angola and Rwanda. The Board urges Governments of African countries to increase their efforts to integrate a drug control component into their reconstruction programmes.

179. Western and southern Africa have emerged as important areas not only in terms of the trans-shipment of illicit drug consignments destined mainly for illicit markets elsewhere, but also in terms of the growing consumption of cocaine and heroin. There are signs, though, that, as a result of increased law enforcement efforts in Nigeria and overall improvements in the management of its governmental institutions, that country is being used to a lesser extent as a transit point for illicit trafficking in narcotic drugs and psychotropic substances. In reaction to measures in Nigeria, more drug trafficking groups have begun using other countries in Africa as transit countries for shipments to Europe and North America, with nationals from other countries, including both Africans and Europeans, serving as couriers. The increasing sophistication and flexibility of the drug trafficking groups are a serious concern.

180. The main drug being trafficked and abused in Africa is cannabis, although methaqualone trafficking and abuse are serious problems in the eastern and southern parts of the region. According to a recent study by the Office for Drug Control and Crime Prevention of the Secretariat, however, this is likely to change, as other drugs, most notably cocaine and heroin, as well as amphetamines, are becoming increasingly popular among drug abusers and traffickers. At present, the consumption of cocaine, "crack" and heroin in Africa is principally an urban phenomenon, confined to large cities. Cannabis cultivation and retail drug distribution are, for the most part, used to generate supplementary income; however,

rising unemployment in the region is likely to fuel an expansion in the retail distribution of illicit drugs.

181. The Board notes with concern that, in many countries in Africa, seized drugs disappear and known drug traffickers are acquitted frequently or, when on bail, never show up for trial. The Board hopes that the Governments concerned will address the underlying causes of that development, including the corrupt practices linked to it, if necessary with international assistance.

182. A high rate of HIV infection and a relatively large number of cases involving acquired immunodeficiency syndrome (AIDS) are reported in many countries in Africa. While the leading cause of HIV transmission in the region is unprotected sex, often in combination with alcohol abuse or the consumption of illicit drugs, there are suggestions that the increasing prevalence of injection of heroin and other substances in some capital cities and tourist destinations in Africa may exacerbate the situation. Orphans and street children, whose numbers are increasing, are most vulnerable to illicit drug trafficking activities and/or substance abuse.

Treaty adherence

183. In March 1999, the United Republic of Tanzania became a party to the 1961 Convention as amended by the 1972 Protocol. South Africa acceded to the 1988 Convention in December 1998.

184. The following States in Africa have not acceded to any of the three international drug control treaties: Angola, Central African Republic, Comoros, Congo, Djibouti, Equatorial Guinea and Eritrea. Some of those States have endured prolonged periods of unrest. The Board urges the international community and intergovernmental organizations in Africa to support, where political conditions permit, the rebuilding of institutional and legal structures that will form the foundation for the accession of those States to the 1961 Convention as amended by the 1972 Protocol, the 1971 Convention and the 1988 Convention.

Regional cooperation

185. The Board welcomes the entry into force of the Southern African Development Community (SADC) protocol on combating illicit drug trafficking. The ratification of the protocol by Namibia, the United Republic of Tanzania and Zambia brought to nine the total number of parties to the protocol, thereby making it possible for it to enter into force.

The Board also welcomes the growing activities of the drug control unit in the secretariat of the Economic Community of West African States (ECOWAS), as well as of ECOWAS member States, that have resulted in drug control being given higher priority in several countries and in the establishment of a subregional fund for drug control measures.

186. Organizational changes are being finalized in the secretariat of the Organization of African Unity (OAU), where a drug control focal point has been established that is to coordinate and monitor the implementation of the OAU drug control action plan through, *inter alia*, improved cooperation with Governments of African countries, with African organizations, in particular the drug control units of ECOWAS and SADC, and with UNDCP and other international partners. The Board is confident that those changes, when completed, will enable OAU to carry out more effectively its function as coordinator of drug-related matters at the regional level.

187. Illicit drugs continue to be smuggled through Africa's major seaports, such as Mombasa in Kenya, Maputo in Mozambique, Durban in South Africa and Dar es Salaam in the United Republic of Tanzania, as well as through several seaports in western Africa. Seizure data indicate that those are the places most frequently used as transit points by drug traffickers. The Board therefore welcomes all the efforts that have been made by Governments to improve the drug control capacity at seaports, especially in eastern and southern Africa, and calls for similar action in western Africa.

188. In November 1998, Zambia and Zimbabwe signed a joint communiqué to step up efforts to fight cross-border criminal acts, including drug trafficking. Uganda signed in January 1999 a cooperation agreement with Nigeria under which intelligence and other information used in the fight against illicit drug trafficking is to be shared. The Governments of Cape Verde and Senegal signed an agreement on cooperation in drug control matters and in efforts to combat money-laundering.

National legislation, policy and action

189. The Board welcomes the establishment of the National Drug Control Coordinating Council in Botswana, Malawi and Mozambique, which, in addition to its coordinating drug control efforts, will enhance subregional cooperation, cross-border controls, liaison and intelligence to counter drug trafficking.

190. In December 1998, a new penal code entered into force in Guinea. The new penal code includes provisions on the criminalization of money-laundering for, *inter alia*, drug-related offences, as required by the 1988 Convention.

191. The Board notes that the Liberian Senate approved the establishment of a new drug law enforcement agency. The agency, which is to replace the national inter-ministerial drug control committee, will be entrusted with the task of formulating and enforcing domestic legislation to combat the illicit traffic in narcotic drugs and psychotropic substances. In the Central African Republic, the first full-time drug control coordinator has been appointed.

192. In Nigeria, a comprehensive master plan for drug control was developed by the inter-ministerial committee on drug control and launched by the Government in May 1999. The Board welcomes the fact that the master plan provides for the collection, analysis, management and dissemination of drug-related data, statistics and information. In Kenya, a workshop led to a draft master plan for drug control that is now being considered by the Government and donors. Cape Verde adopted a national drug control programme that has been integrated into the national development programme.

193. In South Africa, the Prevention of Organised Crime Act entered into force in January 1999, providing for the seizure of assets related to certain crimes, including drug trafficking. A recently established asset forfeiture unit has taken steps to seize, for the first time, money believed to be the proceeds of a crime committed by a drug dealer. The Board encourages the early enactment in South Africa of the Money Laundering Bill, which is designed to eliminate bank secrecy protection. In April 1999, controls were established over all 22 precursors listed in Tables I and II of the 1988 Convention. Finally, the Board notes with satisfaction the approval of a master plan for drug control.

194. The Board urges the early enactment in Uganda of the Narcotic Drugs and Psychotropic Substances (Control) Bill 1999. The bill, when passed, will translate into national law a number of provisions of the international drug control treaties.

Cultivation, production, manufacture, trafficking and abuse

Narcotic drugs

195. Many countries in Africa continue to have problems in countering the illicit cultivation of, trafficking in and abuse of cannabis. Morocco remains a major source of cannabis resin destined for western Europe. Cannabis cultivation continues in Egypt and in countries in western Africa such as Ghana and Senegal. In many countries, the extent and trends of cannabis cultivation and abuse are not known. Several Governments have been increasing their efforts to eradicate cannabis. Kenyan authorities have attempted to eradicate cannabis

cultivation sites around Kirinyaga; in some cases, those efforts have resulted in the sites being relocated in other areas. The eradication of cannabis plants has intensified in Nigeria. Seizures of cannabis herb have generally been at high levels since the early 1990s. Côte d'Ivoire, Egypt, Ghana, Senegal and South Africa have reportedly achieved good results in their eradication efforts.

196. There are no indications that opium poppy is cultivated in Africa. While drug trafficking routes are diversifying, in several countries in the region, including Ghana, Kenya, Mauritius and the United Republic of Tanzania, there are key routes used by traffickers to transport heroin from south-west and south-east Asia to countries in Europe and North America and to South Africa. Drug abuse appears to be increasing in countries along the major trafficking routes.

197. Cocaine seizures have remained at a low level in Africa. In southern and western Africa, however, trafficking in and abuse of cocaine have been increasing. In South Africa, for example, there has been an increase in trafficking in and abuse of "crack" and cocaine. Cape Verde is witnessing increasing drug abuse as a spill-over effect of drug trafficking.

Psychotropic substances

198. In Nigeria, there has been a sharp increase in seizures of psychotropic substances since 1994. In 1998, 2,640 kg of psychotropic substances were seized; thus, in Nigeria, more psychotropic substances were seized than in any other country in Africa and more depressants (benzodiazepines) were seized than in any other country in the world. A significant quantity of psychotropic substances was also seized in the Central African Republic. In several countries in Africa, self-medication, the sale of licit drugs through unregulated channels, the availability of fake drugs on the market and their use by large segments of the population unable to buy from legitimate pharmacies, are believed to be contributing to the spread of abuse of psychotropic substances.

199. The abuse of methaqualone (Mandrax) remains a problem mainly in countries in eastern and southern Africa. India has ceased to be a major source of methaqualone available in eastern and southern Africa. Over the last few years, there have been reports of clandestine manufacture of methaqualone in Kenya, Mozambique, South Africa, Swaziland, the United Republic of Tanzania and Zambia.

200. Trafficking in and abuse of MDMA are increasing in western and southern Africa. Law enforcement authorities in South Africa have detected illicit barter trade whereby

cannabis cultivated in that country is exchanged for MDMA manufactured in countries in western Europe.

Other issues

201. While the abuse of khat is not limited to countries in eastern Africa, its consumption has resulted in a loss of both hard currency and household income and in decreased productivity in Djibouti and Somalia. The Board is concerned that other drugs are also increasingly being trafficked and abused in Somalia. The Board therefore urges that the establishment of an appropriate framework and institutions for drug control be given priority in the reconstruction efforts in Somalia.

Missions

202. In March 1999, the Board sent a mission to Cameroon to discuss problems concerning the implementation of the provisions of the three main international drug control treaties. National control over drugs and precursors is weak, as evidenced by the persistent failure of the Government to fulfil its treaty obligations regarding the provision of information to the Board. The Board appreciates the intention of the Government to improve its treaty compliance and hopes that the Government will resume its cooperation with the Board by submitting reports in a timely manner and replying promptly to the Board's requests for information. The Board encourages the Government to allocate more resources to the Ministry of Health and to the national drug control committee in order to enable those institutions to fulfil the tasks accorded to them under national law.

203. The Board is concerned that pharmaceutical products that contain internationally controlled substances are being sold in Cameroon without restrictions on street markets, endangering public health and possibly resulting in serious problems involving drug addiction. The Board requests the Government to exercise increased vigilance with regard to street markets.

204. The Board notes that cannabis cultivation has increased and that important seizures of cannabis originating in Cameroon have been made in countries in Europe. The Government is encouraged to continue its measures against cannabis cultivation and to emphasize the dangers of cannabis abuse in activities aimed at reducing illicit demand throughout the country.

205. In April 1999, the Board sent a mission to Kenya. The Board notes the increased concern of the Government of Kenya over the growing threat posed to society by illicit drug trafficking and drug abuse. Since 1993, when the last mission of the Board was sent to that country, the Government has taken some action to deal with the drug problem at the national level and has sought to cooperate with Governments of other countries, including neighbouring countries. There is a need to enhance the drug control efforts by the Government. That, however, is a difficult task, considering the inadequate resources and the other priorities in the country.

206. In Kenya, an inter-ministerial committee was established and new drug control legislation was enacted in 1994, but essential regulations relating to the control of licit drugs have yet to be formulated. The Government of Kenya is urged to expedite the refinement of both the 1994 law and the Pharmacy and Poisons Act, which, as the Government itself has acknowledged, contain a number of weaknesses. The Government should also put in place stricter controls over precursors as required under article 12 of the 1988 Convention, as the present controls are far from adequate. The Board calls on Kenya to accede to the 1971 Convention without further delay.

207. Drug abuse and illicit drug trafficking have increased in Kenya. One development that has caused considerable concern is the abuse of heroin by injection, which was noted by health-care workers. Cannabis is by far the most abused drug; it is cultivated for both local consumption and export. Some cannabis resin is transported by traffickers from India and Pakistan through Kenya to countries in Europe. The abuse of cocaine has been noted, but is not very widespread in view of the high cost of that substance. Khat is also abused and cultivated in Kenya. Programmes for reducing illicit drug demand are limited, and facilities for the treatment and rehabilitation of drug abusers are grossly inadequate. The Board urges the Government to reallocate resources or to obtain assistance in order to alleviate the current situation with regard to drug abuse.

208. The Board noted with appreciation efforts by the Government of Kenya to formulate a master plan for drug control.

209. In March 1999, the Board sent a mission to the Libyan Arab Jamahiriya. The Board appreciates the fact that the Government is fully committed to fighting illicit activities related to drugs and that current controls over the licit manufacture and

distribution of narcotic drugs and psychotropic substances are adequate.

210. The Board is pleased to note that the Government of the Libyan Arab Jamahiriya is taking steps to improve the implementation of the 1988 Convention. The Board encourages the Government to update its laws in that area, where necessary.

211. Neither illicit cultivation of drug crops nor illicit manufacture of drugs has been uncovered in the Libyan Arab Jamahiriya. There are indications that the movement of illicit drugs to and through that country, together with drug abuse, may become more significant in the future. The Board trusts that the Government of the Libyan Arab Jamahiriya will be well prepared to deal with such a situation in cooperation with other Governments. The Board calls on the Government of the Libyan Arab Jamahiriya to assess the extent and nature of drug abuse on its territory.

212. The Board undertook a mission to Mauritania in March 1999. Despite its status as a party to both the 1961 Convention and the 1971 Convention, Mauritania had for several years failed to furnish the required data on the movement within its territory of and international trade in narcotic drugs and psychotropic substances. The Board is greatly concerned about the fact that the provisions of those conventions have not been applied in the country and about the lack of cooperation with the Board, which indicates that there are serious problems related to the control of psychotropic substances, which, in turn, would imply that there are considerable public health risks.

213. Mauritania adopted in 1993 a law against the illicit production or manufacture of, trafficking in and use of narcotic drugs, psychotropic substances and precursors. However, a legal framework has never been introduced for monitoring the licit market for substances controlled by the international drug control treaties. In the absence of such a framework, the national authorities have encountered considerable difficulties in establishing a rigorous regime of control over the importation and distribution of drugs used for medical purposes, especially drugs containing psychotropic substances.

214. The Board therefore urges the Government of Mauritania to pass the bill on the control of the licit market for narcotic drugs, psychotropic substances and precursors. Coordination between the law enforcement agencies and the Ministry of Health in drug-related matters should be improved. The Directorate of Pharmacy and Medical Drugs should be strengthened and a group of pharmacy inspectors should be

established in order to ensure the strict application of regulations.

B. Americas

215. The Board appreciates the numerous activities in several drug-related fields that took place in the Americas in 1999 as part of what has come to be known as the Summit of the Americas process, initiated in 1994. The most salient among those activities were the following:

(a) A comprehensive mechanism for coordination evolved as a direct result of the Summit of the Americas process, to a large extent carried out within the Inter-American Drug Abuse Control Commission (CICAD) of the Organization of American States. The mechanism is currently in an evaluation and consolidation phase;

(b) Governments of countries in the Americas initiated the development of a multilateral evaluation mechanism for which a distinct set of indicators and a timetable have been agreed upon. The Board expects that the mechanism will be used not only to evaluate the efforts of individual countries in facing drug abuse and illicit drug trafficking, but also to improve the exchange of information and experiences, providing a clearer view of the actual situation in the Americas and fostering cooperation;

(c) CICAD studies on the feasibility of adopting a convention against money-laundering in the Americas contributed greatly to the development of standardized legislation on an issue that, by its very nature, often involves cross-border criminal activities and needs to be handled on a multilateral basis;

(d) Preparatory work was carried out for the establishment of a centre for justice studies. Several ministerial and working group meetings were held in 1999. The Board hopes that the centre will soon become a reality, harmonizing legislation in the Americas and strengthening judicial cooperation.

216. Laudable efforts have recently been made in the cooperation and coordination of precursor control. The Board is of the opinion that Governments should increase regional and international activities related to health and regulatory aspects of drug control.

Central America and the Caribbean

Major developments

217. The region of Central America and the Caribbean is increasingly being used to trans-ship substantial quantities of cocaine and cannabis from countries in South America to the United States and to countries in Europe. The transit traffic has increased the availability of cocaine in Central America and the Caribbean and cocaine abuse is spreading in a number of countries in the region.

218. The Board is concerned about the increasingly liberal approach of some Governments in Central America and the Caribbean to the offshore banking and gambling industries in view of their potential for abuse by persons who engage in money-laundering. Since those industries are seen as new potential sources of income, Governments in the region have taken steps to facilitate the establishment of offshore financial centres and casinos. The proposed establishment of a stock exchange for the eastern Caribbean may also present opportunities for money-laundering that Governments must take measures to deal with. The establishment of offshore financial services should not result in safe havens being provided for assets derived from drug trafficking and organized crime. Governments in the region should therefore exercise vigilance and step up their efforts to adjust their legal and institutional frameworks to meet the growing challenges posed by those seeking to conceal the origin of proceeds derived from drug trafficking. Most countries in the region have laws aimed at preventing money-laundering. The Board encourages the Governments of those countries to effectively implement those laws. The Board strongly urges Governments that have not already done so to introduce such legislation. For example, in some countries in the region, there is no law requiring suspicious financial transactions to be disclosed to the authorities. Governments should thwart any attempts to tamper with legislation against money-laundering and to weaken its effectiveness. Recent cases involving the liquidation of offshore banks and the arrest of account holders on charges of money-laundering and corruption are evidence that the problem has continued to grow but can be forcefully dealt with by Governments in the region.

Treaty adherence

219. All States in Central America and the Caribbean are now parties to the 1988 Convention. However, Belize and Saint Vincent and the Grenadines are not yet parties to the 1961 and 1971 Conventions and Haiti, Honduras and Saint Lucia are not yet parties to the 1971 Convention. Those States