

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

808. 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. Based on its assessment, the Board makes recommendations to Governments and international organizations to support the implementation of the conventions.

809. The present chapter highlights the key recommendations contained in chapters II and III of this report. The recommendations contained in chapter I are not included in chapter IV. Additional specific recommendations to address the control of precursors are contained in the 2011 report of the Board on the implementation of article 12 of the 1988 Convention.³⁰ The Board encourages Governments and relevant international and regional organizations to examine all the recommendations made by the Board and to implement them without delay, as appropriate. The Board calls on the Governments concerned to inform the Board of their action in response to the recommendations.

A. Recommendations to Governments

810. The recommendations to Governments are grouped according to the following subject areas: treaty accession; treaty implementation and control measures; and prevention of illicit drug production, manufacture, trafficking and abuse.

1. Treaty accession

811. The 1961 Convention as amended by the 1972 Protocol, the 1971 Convention and the 1988 Convention are the framework of the international drug control system. The accession of all States and the universal implementation of the provisions of the conventions are a basic prerequisite for effective drug control worldwide.

Recommendation 1: The Board notes that a total of 16 States³¹ have not yet become parties to all of the international drug control treaties. In addition, Afghanistan and Chad need to accede to the 1972 Protocol. The Board urges the Governments concerned to take the steps necessary to accede to all the international drug control treaties without further delay.

Recommendation 2: The Board welcomes the accession of the Marshall Islands to the 1988 Convention in November 2010. However, the Board notes that nine States in Oceania have yet to become parties to the international drug control treaties. Many of those countries have become trans-shipment areas and destinations for trafficked drugs and precursors. Abuse of cannabis and amphetamines has also increased in the region. The Board therefore urges again the Cook Islands, Kiribati, Nauru, Palau, Papua New Guinea, Samoa, Solomon Islands, Tuvalu and Vanuatu to accede, without further delay, to those international drug control treaties to which they are not yet parties.

2. Treaty implementation and control measures

812. Universal accession to the three international drug control treaties is necessary but not sufficient to address drug-related problems. In addition, it will require universal implementation of all the provisions of the treaties and the effective application of the necessary control measures by all Governments.

Recommendation 3: Some Governments do not submit statistical reports on internationally controlled substances as required under the international drug control treaties. This lack of compliance with reporting obligations could be an indication that those Governments are not fully able to exercise the treaty-mandated controls over the movement of scheduled substances. The Board reminds those Governments of their treaty obligations and encourages them to take steps that would allow them to improve their reporting performance in the future.

Recommendation 4: Certain parties have not fully complied with their obligations under the international drug control treaties, as some of their state and/or provincial legislative and judicial structures have implemented action contrary to the treaties. The Board

³⁰ *Precursors and Chemicals Frequently Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances: Report of the International Narcotics Control Board for 2011* (United Nations publication, Sales No. E.12.XI.4).

³¹ Cook Islands, Equatorial Guinea, Haiti, Holy See, Kiribati, Liberia, Nauru, Palau, Papua New Guinea, Samoa, Solomon Islands, Somalia, South Sudan, Timor-Leste, Tuvalu and Vanuatu.

calls upon the States parties concerned to take all necessary measures to ensure that state and/or provincial policies and measures do not undermine efforts to combat drug abuse and trafficking in narcotic drugs, psychotropic substances and precursor chemicals.

(a) Narcotic drugs and psychotropic substances

Recommendation 5: In March 2011, the Board launched a special report entitled *Report of the International Narcotics Control Board on the Availability of Internationally Controlled Drugs: Ensuring Adequate Access for Medical and Scientific Purposes*,³² as a supplement to its annual report for 2010. In its special report, the Board brought to the attention of Governments and the general public the stark contrast in consumption levels in the different regions of the world. The special report also contained recommendations on availability, appropriate use, national control systems and prevention of diversion and abuse of controlled drugs. The Board encourages Governments to implement those recommendations contained in the special report which are relevant to their country. The Board will in due time analyse, in cooperation with Governments and WHO, the level of implementation of those recommendations.

Recommendation 6: The Board has developed, in cooperation with WHO, a guide on estimating requirements for substances under international control, which will be launched in 2012. The intent of the guide is to assist competent national authorities in identifying the most appropriate method for calculating the quantities of internationally controlled substances required for medical and scientific purposes in their country. The Board expects the guide to be used by all Governments, in particular those that until now were not in a position to calculate their estimates of narcotic drugs and assessments of psychotropic substances, for lack of technical expertise.

Recommendation 7: The Board notes with appreciation that some Governments had submitted for 2010 data on the consumption of some or all psychotropic substances used on their territory for medical and scientific purposes, pursuant to the Board's recommendation and Commission on Narcotic Drugs resolution 54/6. The Board encourages all other Governments to follow suit and take measures that would allow them to collect reliable data on consumption levels of psychotropic substances on their territory and to report those data to the Board.

Recommendation 8: Traffickers have not stopped trying to divert narcotic drugs or psychotropic substances from international trade. The Board reiterates its call for Governments to remain vigilant and to monitor international trade in the substances subject to the control regime laid down in the international drug control conventions and the related resolutions. In particular, Governments should ensure implementation of the system of estimates and assessments, extend the import and export authorization requirement to all substances in Schedules III and IV of the 1971 Convention and verify the authenticity of all import orders that they consider to be suspicious with the competent authorities of the importing countries, or with the Board.

Recommendation 9: Many internationally controlled substances have been found to be diverted from domestic distribution channels. The Board therefore requests Governments to thoroughly investigate the sources of the diverted substances and to inform the Board of the results of their investigations.

Recommendation 10: Some Governments have experienced problems in addressing non-compliance by national stakeholders with some of the control measures aimed at preventing diversion from domestic distribution channels. The penalties that are applicable to individuals or companies found to be negligent or unethical were in some cases inadequate to prevent persons from cooperating with traffickers. The Board encourages all Governments to examine whether the penalties foreseen under their national drug control legislation are sufficient to deter such problems and, if not, to revise their laws accordingly.

Recommendation 11: One growing problem is the diversion of preparations containing buprenorphine from domestic distribution channels, to be subsequently abused in the countries of diversion or smuggled into other countries where there is illicit demand for them. The Board urges Governments of all countries in which buprenorphine is used for licit purposes to remain vigilant and to adopt appropriate control measures, while making the substance available for use in medical treatment. The Board also encourages Governments of those countries into which buprenorphine continues to be smuggled to take action against such smuggling and to closely cooperate with the other countries concerned in order to prevent trafficking in buprenorphine.

(b) Precursors

Recommendation 12: The pre-notification of export of precursors is an important tool in the international

³² United Nations publication, Sales No. E.11.XI.7.

precursor control system. Some countries, however, do not have in place domestic systems that would allow them to provide, prior to exporting precursor chemicals, notifications to the countries importing the chemicals. The Board urges all Governments to make sure that they are informed of any proposed export of precursors and to provide pre-export notifications, particularly to importing countries that have officially requested such notifications. Exporting countries are encouraged to systematically use the PEN Online system for all transactions, as the system is capable of sending pre-export notifications to all countries, including countries not yet registered with the system, via an integrated fax or e-mail option.

Recommendation 13: Exporting countries are urged to ensure that their exports do not violate the applicable laws and regulations of the importing countries.

Recommendation 14: In cases where there are grounds to believe that a shipment is suspicious, the Government of the exporting country should release the shipment only after receiving confirmation from the competent authority of the importing country.

Recommendation 15: Governments of importing countries that have not yet done so should invoke article 12, paragraph 10 (a), of the 1988 Convention, which requires exporting countries to notify them prior to exporting precursors to their territory.

Recommendation 16: Some Governments of importing countries are not reviewing and responding to pre-export notifications where necessary. In addition, significant amounts of precursors are intended for re-export but not all subsequent transactions appear to be traceable through the PEN Online system. Importing countries are reminded to provide timely feedback to exporting countries, if requested to do so, by using the reply function of the PEN Online system.

Recommendation 17: Multilateral international cooperation is essential to identifying and responding to emerging trends in trafficking in precursors, illicit manufacture of drugs and new methods of diversion. In the framework of Project Cohesion and Project Prism, such cooperation and the dissemination of related information have provided tangible results, as evidenced most recently by Operation PAAD. Criminal trafficking organizations are becoming more and more resourceful, organized and adept at circumventing the growing number of control measures that have been introduced. The Board therefore urges Governments to actively contribute to the multilateral operations and activities under Project Cohesion and Project Prism, including by sharing strategic intelligence and offer information on

suspicious orders, stopped shipments and seized precursors in real time.

Recommendation 18: As the controlled precursors that have traditionally been used have become more costly to source, drug trafficking organizations have rapidly adapted to the situation by obtaining intermediates, “pre-precursors”, made-to-order chemicals or pharmaceutical preparations and natural products containing the controlled precursors. In March 2011, the Commission on Narcotic Drugs adopted resolution 54/8, in which it outlined measures to address the issue of pharmaceutical preparations containing ephedrine and pseudoephedrine. The Board welcomes the increased focus on shipments of ephedrine and pseudoephedrine in the form of pharmaceutical preparations and encourages Governments to implement the measures outlined in Commission on Narcotic Drugs resolution 54/8. In addition, Governments, in cooperation with industry, are encouraged to apply more flexible approaches to identifying suspicious orders and preventing the diversion of new precursor chemicals. Where necessary, legislation should be introduced to allow for the investigation and prosecution of cases where such new chemicals are used in the illicit manufacture of drugs.

Recommendation 19: Each year, the Board prepares its report on the implementation of article 12 of the 1988 Convention, and that report contains recommendations to Governments on the control of precursors. The Board calls on Governments to implement the recommendations contained in the 2011 report of the Board on the implementation of article 12 of the 1988 Convention.³³

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

813. 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 20: The Board notes with concern that the total area under illicit opium poppy cultivation in Afghanistan increased by 7 per cent in 2011 and that half of the country’s 34 provinces were involved in such cultivation. Potential illicit opium production also increased significantly, by 61 per cent, between 2010 and

³³ *Precursors and Chemicals Frequently Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances: Report of the International Narcotics Control Board for 2011 ...*

2011. Progress in reducing illicit opium poppy cultivation in Afghanistan appears to be slow. The Board urges the Government of Afghanistan to take adequate measures to implement the National Drug Control Strategy and to ensure that illicit poppy cultivation in the country is reduced and effectively prevented, particularly through awareness and eradication campaigns, while providing alternative livelihoods for the farming community. Efforts should be made to sustain the progress already achieved.

Recommendation 21: East and South-East Asia continues to be one of the main regions in which methamphetamine is illicitly manufactured. There are indications that methamphetamine has been illicitly manufactured on a large scale in the so-called Golden Triangle, as the amount of methamphetamine seized in the region increased in 2010. Furthermore, there is significant smuggling of methamphetamine within the region and from North America, West Africa and West Asia. The abuse of methamphetamine in East and South-East Asia has been increasing, particularly among young drug abusers. The Board urges Governments of countries in the region to devise appropriate and effective strategies to address the threats posed by trafficking in and abuse of methamphetamine and to strengthen regional cooperation in that regard.

Recommendation 22: The abuse of prescription drugs (pharmaceutical preparations containing controlled substances) has become one of the fastest growing drug problems in several regions. The Board urges all Governments to enact comprehensive measures aimed at stemming the abuse of prescription drugs, in particular through the establishment of awareness-raising initiatives targeting the general public and health-care providers; the introduction of prescription monitoring programmes; the establishment of proper disposal mechanisms; and the enforcement of laws and regulations on prescribing drugs.

Recommendation 23: Countries in Central America and the Caribbean have reported significant drug abuse. Organized criminal groups continue to use Central America and the Caribbean as a major trans-shipment area for illicit drug consignments. The Board hopes that the Governments of countries in Central America and the Caribbean will consider allocating additional resources to drug abuse prevention and the implementation of public health and drug abuse prevention programmes, focusing on campaigns for educating youth about the dangers of drug abuse and providing appropriate treatment for drug abusers. In addition, the Board encourages the Governments of countries in the region, with the assistance of

international organizations, to consider concerted action in the area of crime prevention and criminal justice reform, as well as regional strategies to reduce drug trafficking.

Recommendation 24: Authorities of countries in South America have detected illicitly manufactured amphetamine-type stimulants, including MDMA (“ecstasy”) and methamphetamine. The Board calls on Governments of countries throughout the region to be aware of the risk that their countries might be used for the illicit manufacture of amphetamine-type stimulants and to take appropriate measures to prevent such illicit activity from taking place in their countries.

Recommendation 25: In recent years, the main cocaine-manufacturing countries, in particular the Plurinational State of Bolivia, have also reported increasing seizures of cannabis. In 2009 and 2010, a total of about 3,000 tons of cannabis plant and herb were seized in the Plurinational State of Bolivia. In the past few years, increased seizures of cannabis herb were reported by Colombia and Peru. The Board calls on the Governments of those countries to determine, in cooperation with UNODC, the magnitude of and current trends in the illicit cultivation of cannabis plant on their territory and to further strengthen their efforts to combat such cultivation.

Recommendation 26: The Board remains concerned about the increasing illicit cultivation of cannabis plant, in particular indoors, that continues to be reported by a number of countries in Europe. The Board calls on Governments to take effective measures to address that problem.

Recommendation 27: Smuggling of drugs through Africa has become a serious threat to the development, stability and security of African countries. Cocaine from South America is trafficked through countries in West Africa, while heroin enters Africa through airports and seaports in East Africa. As a result, the abuse of those drugs is increasing in the African countries affected by such trafficking. The Board calls on the Governments of the African countries concerned to take effective measures to combat the smuggling of cocaine and heroin through their territory and to strengthen regional and interregional cooperation in that regard. Furthermore, the Board encourages the Governments of African countries to take appropriate measures to support the prevention of drug abuse and the treatment and rehabilitation of drug abusers.

Recommendation 28: The Board has taken note with concern of recent reports indicating that the illicit manufacture of amphetamine-type stimulants might take hold in West African countries, including Nigeria. The

Board calls on the Governments of countries in West Africa to be aware of that risk and take the measures necessary to address the problem.

Recommendation 29: The smuggling of pharmaceutical preparations containing precursors continues in countries in South Asia and East Asia. The Board urges the Governments of countries in Asia to cooperate on a regional basis and to remain vigilant in order to prevent the diversion of such pharmaceutical preparations. Those Governments should also make sure that their regulatory capacity keeps pace with developments in industry.

Recommendation 30: Many Governments have reported that they have fully or almost fully implemented the Board's *Guidelines for Governments on Preventing the Illegal Sale of Internationally Controlled Substances through the Internet*.³⁴ However, there has been relatively slow progress in responding to requests from other States for cooperation and in elaborating standards of investigation and reporting. The Board urges all Governments to put in place comprehensive measures to prevent the operation of illegal Internet pharmacies from their territory. In particular, Governments should continue to implement the Guidelines, improve international cooperation in that regard and provide technical assistance to countries requiring such assistance.

Recommendation 31: In some countries, companies in the private sector, including Internet registrars, providers of hosting space, credit companies and search engine providers, have decided to share information relating to activities of illegal Internet pharmacies, in order to enable companies to take steps to prevent the misuse of their services by illegal Internet pharmacies. The Board recommends that Governments encourage companies to deny illegal Internet pharmacies access to the legitimate business services required to carry out those activities.

Recommendation 32: The import, export and transit of opium poppy seeds are prohibited in many countries adjacent to countries where opium poppy is illicitly cultivated. The Board recalls Economic and Social Council resolution 1999/32 and Commission on Narcotic Drugs resolutions 51/15 and 53/12 and requests the Governments of countries in which opium poppy is illicitly cultivated to cooperate closely with the Governments of their neighbouring countries, in order to prevent the smuggling of opium poppy seeds. The Board invites all Governments to inform it of any suspicious transactions involving opium poppy seeds.

Recommendation 33: The Political Declaration of the High-level Meeting of the General Assembly on the Prevention and Control of Non-communicable Diseases (General Assembly resolution 66/2, annex) calls for, inter alia, the strengthening of country-level surveillance and monitoring systems. The Board encourages Governments to include substance use disorders in their strategies for addressing non-communicable diseases, including in their national health surveillance and monitoring systems.

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

814. UNODC is the primary United Nations entity responsible for providing technical assistance and coordination in drug control matters for 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 psychotropic substances under the 1971 Convention.

Recommendation 34: Limited capacity in many low-income countries prevents them from meeting their obligations under the international drug control treaties and communication with those Governments remains problematic. The Board therefore urges UNODC and other relevant international entities to provide assistance in the form of training and capacity-building for the competent authorities of countries that require such assistance, in order to enable them to fully participate in the international monitoring and control of narcotic drugs, psychotropic substances and precursor chemicals.

Recommendation 35: The Board notes that there is a growing variety of "emerging drugs of abuse" throughout the world, in particular in Europe. The Board urges WHO and UNODC to review that development and undertake specific measures to address the problem.

Recommendation 36: The Board calls upon WHO, UNODC and other relevant international organizations to support Governments in their efforts to include substance use disorders and access to internationally controlled medicines in their national strategies for addressing non-communicable diseases (see also recommendation 33 above).

³⁴ United Nations publication, Sales No. E.09.XI.6.

C. Recommendations to other relevant international organizations

815. 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 relevant recommendations pertaining to the specific spheres of competence of the relevant international and regional organizations, such as INTERPOL and the World Customs Organization.

Recommendation 37: The Board notes with concern that limited capacity in many low-income countries prevents them from meeting their obligations under the 1988 Convention. The Board therefore invites all relevant international organizations, including INTERPOL and the World Customs Organization, to provide assistance in the form of training and capacity-building for competent authorities of low-income countries to enable them to fully participate in the international precursor control mechanism, including by monitoring and determining the legitimacy of relevant transactions, thus preventing those countries from being targeted for the diversion of precursors.

Recommendation 38: In West Asia, there continues to be significant illicit demand for acetic anhydride, which is used in heroin manufacture. However, only small amounts of acetic anhydride are reported to have been seized each year in the region. The seized acetic anhydride is often burned on site, thus losing the opportunity to collect forensic details and other information that would have been useful in backtracking

investigations and identifying those responsible for the diversion of that precursor. The Board calls on regional and international organizations, such as CARICC, to assist the Government of Afghanistan and the other Governments concerned so that such information can be shared with the Board via the established Project Cohesion mechanisms, with a view to facilitating international efforts to counter precursor trafficking.

Recommendation 39: Progress in enhancing security, improving governance and stepping up reconstruction and development is essential to helping the Government of Afghanistan to improve the drug control situation in that country. The Board calls on the international community, in particular United Nations entities, to continue its efforts to support the Government-led counter-narcotics activities in Afghanistan, including in the areas of agricultural development, interdiction, demand reduction, eradication and public information, as well as the effective implementation of Security Council resolution 1817 (2008) on precursor control.

(Signed)
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