



INTERNATIONAL NARCOTICS CONTROL BOARD



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Narcotic Drugs: Estimated World Requirements for 2022 — Statistics for 2020 (E/INCB/2021/2)

Psychotropic Substances: Statistics for 2020 — Assessments of Annual Medical and Scientific Requirements for Substances in Schedules II, III and IV of the Convention on Psychotropic Substances of 1971 (E/INCB/2021/3)

Precursors and Chemicals Frequently Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances: Report of the International Narcotics Control Board for 2021 on the Implementation of Article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 (E/INCB/2021/4)

The updated lists of substances under international control, comprising narcotic drugs, psychotropic substances and substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances, are contained in the latest editions of the annexes to the statistical forms (“Yellow List”, “Green List” and “Red List”), which are also issued by the Board.

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Report

of the International Narcotics Control Board
for 2021



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Foreword

2021 was overshadowed by the coronavirus disease (COVID-19) pandemic, which continued to have a grave impact on the global community, causing immense suffering to individuals, placing a considerable burden upon health systems and slowing progress towards achieving the Sustainable Development Goals. The system for international trade in controlled substances for medical, scientific and industrial purposes was also affected and its functioning was tested by the pandemic and by measures to control the spread of the virus. The International Narcotics Control Board (INCB) has continued to work with Member States and international organizations towards achieving the objectives of the international drug control conventions. The Board is focusing on all areas of work that can contribute to progress in achieving the Sustainable Development Goals, especially Goal 3, on health and well-being, and Goal 16, on peace, justice and strong institutions.

Public resources meant for development and security are lost through illicit financial flows. The thematic chapter of the present annual report is focused on illicit financial flows related to drug trafficking and their impact on development and security. This phenomenon has been further aggravated by increased globalization in terms of movement of capital, financial innovations and new technology. Illicit financial flows are generated by, but also sustain, drug trafficking. It is therefore crucial to address illicit financial flows as part of a balanced and evidence-based effort to tackle drug trafficking.

Consultations on the thematic chapter were held by the Board with civil society representatives during its 131st session, in May 2021. In the chapter, the issue of illicit financial flows related to drug trafficking is explored through a number of case studies, and the impact of such financial flows on development, political, economic and social stability, and security is examined. The chapter presents an overview of national responses to addressing illicit financial flows and outlines international efforts in this regard, as well as the key United Nations instruments that establish the legal obligations of States to counter the problem. As new financial services utilizing advanced information and communications technologies have expanded rapidly, the threat of illicit financial flows has grown exponentially. The Board's response to this challenge is through activities undertaken by the INCB Global Rapid Interdiction of Dangerous Substances (GRIDS) Programme. Mechanisms have been established between Governments and their private sector partners in the financial services industry to identify and prevent the generation of illicit financial flows through the manufacture of and trade in dangerous substances, including non-medical synthetic opioids, new psychoactive substances and related precursors.

The international community has to meet the challenge head on by taking action in the spirit of joint responsibility to prevent, detect, seize and block illicit financial flows. The present report contains recommendations for Governments to consider in this regard. By implementing these recommendations, the proceeds of asset recovery and forfeiture of property related to drug trafficking can be reinvested into ongoing efforts to address the harms that drug trafficking poses to society. The need to expand the quality and reach of drug prevention, treatment and rehabilitation services is further underlined, as these recovered proceeds can be ploughed back into the economic and social systems for the prevention of drug use and the rehabilitation of people who use drugs.

Chapter II of the present report contains a review of the functioning and implementation of the international drug control system and the three drug control treaties. The Board's cooperation with Member States and the availability of internationally controlled substances for medical and scientific purposes are underscored in the chapter. The disparities among countries in the availability of medicines containing narcotic drugs is highlighted and the urgent need to increase the availability of opioid analgesics in countries reporting inadequate levels of consumption is noted. INCB is calling for targeted, enlightened public policies to be developed with the support of civil society, the pharmaceutical industry and the international community.

The INCB Learning programme is building the capacity of competent national authorities to improve the availability of controlled substances for licit purposes, while preventing diversion to illicit channels. We encourage Governments to participate in and support the activities of INCB Learning. We also encourage Governments to utilize the International Import and Export Authorization System to benefit from the efficiencies gained through the rapid and secure exchange of electronic import and export authorizations.

Chapter III covers emerging and important global issues. Following engagement with Member States, humanitarian agencies and relevant international organizations, and on the occasion of World Humanitarian Day 2021, INCB published guidance on facilitating the timely supply of controlled substances during emergency situations. Together with the World Health Organization and the United Nations Office on Drugs and Crime, the Board issued a joint statement on access to medicines containing controlled substances during emergencies. We note a considerable increase in the need for quality essential care in humanitarian settings that is associated with the pandemic and with the increasing number of disasters caused by climate change and armed conflict. A number of internationally controlled substances are critical for palliative care, pain management, surgical care and anaesthesia and for the treatment of some mental health and neurological conditions, as well as for the treatment of patients admitted to intensive care units with COVID-19. To respond to emergency situations, we therefore encourage Governments to ensure that national legislation can allow for flexibility in the import and export of controlled substances during emergency situations, under specific conditions and with adequate training for the relevant personnel.

The report also includes an examination of the important differences between the terms “legalization”, “decriminalization” and “depenalization”. The international drug control conventions provide States with flexibility in determining responses to drug-related behaviours, taking into account the seriousness of the behaviour and the individual circumstances, including by providing alternatives to conviction and punishment, such as treatment and rehabilitation. However, the Board notes that “decriminalization” should be differentiated from “depenalization”, and that those terms should not be used interchangeably with the term “legalization”, which is often associated with the regulation and commercialization of internationally controlled substances for non-medical and non-scientific purposes, in violation of the conventions. Key elements of a balanced drug policy include the importance of the principle of proportionality and respect for human rights.

The increasing influence of social media in promoting the use of drugs for non-medical purposes, in particular among young people, is another issue of great importance. Opportunities for harnessing the reach and influence of social media to promote healthy behaviour among youth are highlighted in the report, and it is noted that national authorities should consider investing more resources and time in reining in the ill effects of some social media messaging.

The manufacture and proliferation of fentanyl analogues, which continue to drive increases in overdose deaths in some countries, are also addressed in the report, along with the need for Governments to direct more attention to the monitoring of and testing for those substances. The INCB GRIDS Programme and its public-private partnership initiative is working with Governments to engage private-sector partners to prevent the exploitation of legitimate industry for trafficking in dangerous substances. Governments are encouraged to refer to the INCB list of fentanyl-related substances that have no licit uses and to use the Project Ion Incident Communication System online platform to communicate incidents involving suspicious shipments. Additional INCB tools that can assist Governments in preventing diversion of and trafficking in non-scheduled precursors, including fentanyl precursors, are the limited special surveillance list and the Precursors Incident Communication System.

The continuing proliferation of non-scheduled chemicals and designer precursors used in illicit drug manufacture has emerged as the latest challenge and the Board advocates concrete action at

the global level to address this issue. Detailed information on this challenge and possible solutions are contained in our report for 2021 on precursors.

I am pleased to present the annual report of the Board for 2021. I urge Governments to study and implement the recommendations contained in chapter IV of the report, which are aimed at improving implementation of the drug control conventions, including in terms of ensuring availability of controlled substances for licit purposes. The importance of drug policy being evidence-based and respecting human rights is emphasized in terms of responding to emerging drug control challenges. In addition, I would like to acknowledge the important work being carried out by civil society towards achieving the objectives of the treaties, in particular in the field, and look forward to continued cooperation, in particular as we resume INCB country missions. The Board is committed to continuing to support Member States in implementing the treaties and to advancing the Sustainable Development Goals as the global community recovers from the ravages of the pandemic.

A handwritten signature in black ink that reads "Jagjit Pavadia". The signature is written in a cursive, flowing style.

Jagjit Pavadia
President
International Narcotics Control Board

Contents

	<i>Page</i>
Foreword	iii
Explanatory notes	ix

Chapter

I. Illicit financial flows related to drug trafficking and their impact on development and security	1
II. Functioning of the international drug control system	15
A. Promoting the consistent application of the international drug control treaties	15
B. Ensuring the availability of internationally controlled substances for medical and scientific purposes	24
C. Overall treaty compliance	32
D. Action taken by the Board to ensure the implementation of the international drug control treaties	43
III. Analysis of the world situation	53
A. Global issues	53
B. Africa	64
C. Americas	70
Central America and the Caribbean	70
North America	74
South America	81
D. Asia	91
East and South-East Asia	91
South Asia	98
West Asia	102
E. Europe	109
F. Oceania	117
IV. Recommendations to Governments, the United Nations and other relevant international and national organizations	123

Annexes

I. Regional and subregional groupings used in the report of the International Narcotics Control Board for 2021	131
II. Current membership of the International Narcotics Control Board	135

Explanatory notes

Data reported later than 1 November 2021 could not be taken into consideration in the preparation of this report.

The designations employed and the presentation of the material in this publication do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries.

Countries and areas are referred to by the names that were in official use at the time the relevant data were collected.

References to dollars (\$) are to United States dollars, unless otherwise stated.

The following abbreviations have been used in this report:

ANPP	4-anilino-N-phenethylpiperidine
ASEAN	Association of Southeast Asian Nations
ATS	amphetamine-type stimulants
CBD	cannabidiol
CARICC	Central Asian Regional Information and Coordination Centre
COVID-19	coronavirus disease
CICAD	Inter-American Drug Abuse Control Commission
ECOWAS	Economic Community of West African States
EMCDDA	European Monitoring Centre for Drugs and Drug Addiction
Eurojust	European Union Agency for Criminal Justice Cooperation
Europol	European Union Agency for Law Enforcement Cooperation
FARC-EP	Revolutionary Armed Forces of Colombia-People's Army
ha	hectares
GDP	gross domestic product
GRIDS Programme	Global Rapid Interdiction of Dangerous Substances Programme
I2ES	International Import and Export Authorization System
IONICS	Project Ion Incident Communication System
INCB	International Narcotics Control Board
INTERPOL	International Criminal Police Organization
LSD	lysergic acid diethylamide
MDMA	3,4-methylenedioxymethamphetamine
NATO	North Atlantic Treaty Organization
NPP	<i>N</i> -phenethyl-4-piperidone
NPS	new psychoactive substances
OAS	Organization of American States
OPIOIDS project	global Operational Partnerships to Interdict Opioids' Illicit Distribution and Sales project
PEN Online	Pre-Export Notification Online system
PICS	Precursors Incident Communication System
SCO	Shanghai Cooperation Organization

THC	tetrahydrocannabinol
UNCTAD	United Nations Conference on Trade and Development
UNHCR	Office of the United Nations High Commissioner for Refugees
UNODC	United Nations Office on Drugs and Crime
WCO	World Customs Organization
WHO	World Health Organization

Chapter I.

Illicit financial flows related to drug trafficking and their impact on development and security

Introduction

1. Illicit financial flows related to drug trafficking threaten the political, economic and social development and security of countries around the world. INCB has examined this issue before: its annual report for 1995 contained a chapter entitled “Giving more priority to combating money-laundering”. Drug trafficking is one of the most lucrative activities of organized criminal groups. It not only has detrimental health implications for drug users but also fuels violence, insecurity, instability and corruption in nations in which the cultivation, production, manufacture, transportation, distribution and consumption of drugs occur. Drug trafficking is just one of the illicit activities engaged in by organized criminal groups. They are also involved in trafficking in persons, trafficking in arms, illegal mining, money-laundering and corruption, all of which are accompanied by high levels of violence; organized criminal groups thus pose a serious threat to the security and prosperity of citizens worldwide. The illicit financial flows through which organized criminal groups seek to maximize their profits serve as the lifeblood of all aspects of trafficking; curbing them is therefore essential to addressing drug trafficking around the world. Meanwhile, globalization has fostered more movement of capital, financial innovations and new technology, such as mobile payments and digital currencies, which have magnified the threat from illicit financial flows and transnational organized crime.

2. According to the *UNODC World Drug Report 2021*, some 275 million people used drugs in 2019, representing a 22 per cent increase from 2010, and drug use was observed to have increased more rapidly in developing countries. Cannabis was the most widely consumed drug,

with an estimated 200 million users globally in 2019. Over the period 2010–2019, deaths attributable to opioid use disorders increased by 41 per cent. In 2020, drug overdose deaths in the United States of America rose by 29.4 per cent compared with the year before, to an estimated 93,331, including 69,710 involving opioids, with illicitly manufactured fentanyl and synthetic opioids as the primary drivers of this increase. Drug trafficking relies on the dynamic between supply and demand: to combat the scourge of such trafficking, nations must focus equally on reducing both supply and demand through comprehensive strategies and policies that engage the public and private sectors and civil society.

3. Restricting supply makes drugs scarcer, more expensive and less socially tolerated. To this end, all stages of drug trafficking (cultivation, production, manufacture, transportation, distribution, sales and income repatriation) must be addressed. Efforts to reduce supply must be undertaken at the local, national and international levels by leveraging diplomatic, military, intelligence and law enforcement capacity to interdict drug shipments, identify criminal networks and bring traffickers to justice. Alternative development programmes such as crop substitution for the illicit cultivation of plant-based drugs should be adopted. Balanced solutions to drug demand and supply must be rooted in evidence and shared responsibility, as illicit drug challenges have become increasingly complex and the COVID-19 crisis and related economic downturn threaten to worsen the impact on the poor, marginalized and vulnerable most of all.

4. Corruption, in particular through bribery and the diversion of legitimate resources, is both an enabler and a product of illicit financial flows related to drug trafficking

and the broader illicit economy. Organized criminal groups capitalize on corruption to promote and achieve their agendas. Corruption is a crime in and of itself but it also erodes trust, weakens governance, encumbers economic development and further worsens inequality, poverty, social division and the environmental crisis. As a result, corruption and illicit financial flows must be identified and thwarted around the world.

Defining illicit financial flows and money-laundering

5. Illicit financial flows are a critical enabler of drug trafficking from which organized criminal groups derive wealth and power. Illicit financial flows are defined as money illegally earned, transferred or used that crosses international borders and exhibits the following characteristics: (a) the acts themselves are illegal (e.g. corruption, tax evasion); (b) the funds result from illegal acts (e.g. trafficking in drugs, persons, minerals or wildlife); and/or (c) the funds are used for illegal purposes (e.g. financing of organized crime or terrorism). The concept of illicit financial flows has evolved in the international development community as a construct to unite a variety of complex issues. While initially associated with capital flight in the 1990s, illicit financial flows now encompass activities that divert public funds and tax revenues from poverty-reducing programmes and infrastructure in developing countries; accordingly, they are receiving growing attention as a key development challenge.¹

6. Money-laundering, which is the process of disguising the proceeds of crime and integrating them into the legitimate financial system, enables illicit financial flows. According to the relevant provisions of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and the United Nations Convention against Transnational Organized Crime, money-laundering may encompass three distinct acts: (a) conversion or transfer, knowing that such property is the proceeds of crime; (b) concealment or disguise of the true nature, source, location, disposition, movement or ownership of or rights with respect to property, knowing that such property is the proceeds of crime; and (c) acquisition, possession or use of property, knowing, at the time of the receipt, that such property is the proceeds of crime. Money-laundering involves three stages: (a) placement (the initial entry of illicit money into the financial system); (b) layering (the process of

separating the funds from their source, often using anonymous shell companies); and (c) integration (the money is returned to the criminal from a legitimate-looking source, such as real estate).

7. Illicit financial flows came under greater scrutiny with the disclosures of the Panama Papers in 2016, the Paradise Papers in 2017, the FinCEN Files in 2020 and the Pandora Papers in 2021. Those papers revealed how illicit gains were distorting and undermining the international financial system and diverting funds away from development. Illicit financial flows, whether from tax evasion or criminal activities, result in a loss of resources that are often desperately needed to fund public initiatives and critical investments. Collectively, for developing countries, this often represents hundreds of millions of dollars in lost or foregone tax revenues that could have otherwise been collected and used for promoting sustainable economic growth, creating jobs, reducing inequality and poverty and addressing climate change. Following the publication of the Pandora Papers, which revealed information regarding the offshore mechanisms used by politicians, high-ranking officials and more than 130 billionaires from 45 countries to shield their assets, increasing corporate transparency is being acknowledged as a requisite for improving financial integrity. Opaque corporate structures are a significant obstacle to investigating and prosecuting crime and corporate transparency provides a mechanism for exposing illicit financial flows. A number of jurisdictions are still perceived as tax havens; however, forthcoming regulatory changes at the national level, as discussed later in the chapter, should contribute to addressing the anonymity that facilitates illicit financial flows.²

8. Billions of dollars are estimated to be leaving developing countries illicitly every year; this drain of public funds undermines the efforts of countries to mobilize more domestic resources in order to meet the internationally agreed Sustainable Development Goals by the target date of 2030.

9. In the 2030 Agenda for Sustainable Development, the reduction of illicit financial flows was identified as a priority area to build peaceful societies around the world. Target 16.4 of the Sustainable Development Goals is to significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime. UNODC and UNCTAD are co-custodians of indicator 16.4.1, on the

¹World Bank, "Illicit financial flows (IFFs)", 7 July 2017; and International Monetary Fund, Factsheet, "The IMF and the fight against illicit and tax avoidance related financial flows", 8 March 2021.

²Elizabeth G. Silver and Catherine A. Johnson, "Anti-corruption hot topic: corporate transparency emerges as cornerstone of financial integrity regulatory reforms", Vedder Price, 28 October 2021.

total value of inward and outward illicit financial flows, and are charged with developing a measurement framework that guides countries in quantifying that indicator.

10. Under the measurement framework, the monetary measure of illicit financial flows would include international transfers of illicitly earned capital, (originally) legal capital transferred internationally for illicit purposes and (originally) legal capital transferred illicitly. Illicit financial flows are divided into the following two categories: (a) income generation, which includes illicit financial flows connected to illicit markets and their functioning and to the transnational supply and demand of illicit goods and services; and (b) income management, which involves illicit financial flows to manage income generated from illicit activities and is linked to the consumption and investment patterns of illicit actors.

11. Illicit financial flows originate mainly in the four following areas:

(a) Illicit tax and commercial practices (aggressive tax avoidance, illegal tax and commercial practices);

(b) Illegal markets (trafficking in drugs, arms or wildlife, illegal mining, smuggling of migrants, smuggling of goods);

(c) Corruption (bribery, embezzlement, abuse of functions, trading in influence, illicit enrichment);

(d) Crime (kidnapping, slavery and exploitation, trafficking in persons, sexual exploitation, extortion, robbery, burglary, theft, financing of terrorism).

Illicit financial flows and money-laundering mechanisms

12. For organized criminal groups, income generation is a key objective: financing serves as the oxygen for criminal networks and they derive power from their wealth and use it to corrupt and co-opt rivals, facilitators and/or government and security officials. Financing is indispensable to support and sustain the command and control, personnel, arms, communications, logistics and operations of organized criminal groups. For this reason, following the money trail and disrupting illicit financial flows can disable these groups.

13. Illicit financial flows rely on various money-laundering mechanisms to move and hide money, as highlighted in boxes 1, 2, 3 and 4 below. Through such mechanisms, criminals try to disguise the proceeds,

sources or nature of their illicit activities. Mechanisms used for money-laundering include the banking system, cash couriers, bulk cash smuggling, money-service providers, alternative remittance systems (e.g. hawala), stores of value, trade-based money-laundering, mobile or Internet payments, cryptocurrencies, non-profit organizations, real estate and front companies.³

Box 1. FinCEN Files

Traditional banks continue to be favoured mechanisms for laundering money. For example, in 2012, HSBC admitted to laundering \$881 million of drug proceeds for the Mexican Sinaloa cartel between Mexico and the United States of America. Prosecutors declined to seek an indictment of the bank, but instead allowed HSBC to pay a \$1.92 billion settlement and be subject to five years of probation, during which its efforts to prevent money-laundering would be monitored by a court-appointed watchdog. Following this disclosure, a 16-month investigation by the International Consortium of Investigative Journalists, BuzzFeed News and 108 other media partners resulted in the release of the FinCEN Files. These files, which explored the activities of mainstream financial institutions, showed that, despite purported compliance and anti-money-laundering regimes charged with safeguarding financial systems, banks continued to provide services to alleged criminals, Ponzi schemers, shell companies tied to looted government funds and financial go-betweens for drug traffickers. This highlights the continuing problem of the largest financial institutions being complicit in the movement and laundering of illicit financial flows.

14. Almost 60 per cent of criminal networks active in the European Union are reportedly engaged in corruption and nearly 40 per cent are active in drug trafficking, as the production of and trafficking in drugs remain the largest criminal business in the European Union. Criminals make and launder billions of euros annually, and the scale and complexity of money-laundering activities in the European Union have previously been underestimated. Professional money-launderers have established a parallel underground financial system and use any means to infiltrate and undermine Europe's economies and societies. More than 80 per cent of the criminal networks active in the European Union use legal business structures for their criminal activities. Moreover, almost all criminal activities now feature a cyber component, and many crimes have fully migrated online. Criminals exploit encrypted communications to network among each other and use social media and instant messaging services to reach a larger audience to advertise illegal goods.⁴

³Celina B. Realuyo, "Leveraging financial intelligence to counter transnational threat networks in the Americas", *Diálogo Digital Military Magazine*, 3 April 2019.

⁴Europol, *Serious and Organised Crime Threat Assessment 2021: A Corrupting Influence—The Infiltration and Undermining of Europe's Economy and Society by Organised Crime* (Luxembourg, Publications Office of the European Union, 2021).

Box 2. “Straw men”

The Mexican cartels are among the richest and most powerful organized criminal groups in the world. They engage in trafficking in drugs and smuggling of migrants and resort to different methods to move and launder their money. While they continue to practise cross-border bulk cash smuggling, the cartels have also turned to shell companies to launder millions of dollars through an intricate scheme that involves national and international financial transactions.

Criminals use “straw men” to create entities, including real estate companies, jewellery stores and consulting services, as part of a money-laundering network that also involves homemakers, students and bank employees.

In 2014, the Mexican Financial Intelligence Unit found four companies that had sent and received resources to hide the origin and destination of those resources. All of the companies had made transactions that did not match their tax returns. The four companies had been created on the same day in 2012 and had the same address and the same legal representative, who turned out to be a “straw man”.

After launching an investigation into a more complex money-laundering scheme, the Unit found that the four shell companies had received and transferred 3,523.2 million Mexican pesos in less than two years. Those companies were linked to another three companies that were being investigated for working for the Sinaloa Cartel.^a

^aZorayda Gallegos, “Mexican drug cartels used these shell companies to launder money”, *El Universal* (Mexico City), 6 June 2020.

15. Illicit networks, including criminal and terrorist groups, use a type of informal banking or alternative remittance system, known as hawala, to move their assets because of the system’s non-transparent and liquid nature. Hawala is a centuries-old broker system based on trust. It is used throughout South Asia and the Arab world and also in parts of Africa, Europe and the Americas. It is used by many different cultures, but under different names: “hawala” is often used as a catch-all term for such systems in discussions of financing of terrorism and money-laundering. Hawala allows customers and brokers (known as hawaladars) to transfer money or value without physically moving it, often in areas of the world where banks and other formal institutions have little or no presence or to countries with weak financial regulations. Hawaladars arrange for the transfer and receipt of funds or items of equivalent value and settle the transactions by means of trade, cash and net settlement over a long period of time. Three major types of hawaladars and other similar service providers that operate across the globe are categorized as follows: (a) traditional (legitimate) hawaladars and other similar service providers; (b) hybrid traditional (sometimes unwittingly complicit) hawaladars; and (c) criminal (complicit) hawaladars.⁵ It has been reported that the

⁵Financial Action Task Force, *The Role of Hawala and Other Similar Service Providers in Money Laundering and Terrorist Financing* (Paris, 2013).

perpetrators of the Mumbai terrorist attack of November 2008 relied on hawala transactions to fund their operations.⁶ In Afghanistan, the spread of the opiate drug trade has been facilitated by the traditional hawala system. Its informality has been key to the deepening and widening of the country’s informal economy and the laundering of drug money, to the extent that, at certain times of year in certain districts, 100 per cent of hawala liquidity is drug-related. From the early 2000s, drug money was finding its way into the legitimate economy by boosting aggregate demand for non-durable and durable consumer goods, real estate and building construction.⁷

16. Cyberspace and cryptocurrencies are emerging as a new frontier for organized criminal groups battling for control of the vast criminal markets for drugs, arms, sex and persons. To track the use of bitcoin and other cryptocurrencies designed to anonymize users, the Government of Mexico instituted a new law in 2018 that requires all registered cryptocurrency trading platforms to report transfers above 56,000 Mexican pesos (\$2,830). The use of bitcoin to launder money is increasing, in particular among drug gangs such as the Jalisco New Generation Cartel and the Sinaloa Cartel, according to authorities in Mexico and the United States. Mexican cartels are believed to launder an estimated \$25 billion a year in Mexico alone. To remain under the threshold for banking transactions that raise red flags, which is \$7,500, criminals typically split their illicit cash into small amounts and deposit them into various bank accounts, a technique known as “smurfing”. They then use those accounts to buy a series of small amounts of bitcoin online, obscuring the origin of the money and allowing them to pay associates elsewhere in the world. According to the Drug Enforcement Administration of the United States, both Mexican and Colombian organized criminal groups are increasing their use of virtual currency because of the anonymity and speed of transactions.⁸

17. Free trade zones and gaming enterprises continue to be used in trade-based money-laundering to launder illicit funds. Trade-based systems act as a parallel method of transferring money and value around the world. As systems such as hawala and the black market peso exchange and the use of commodities such as gold and diamonds are not covered by many financial reporting

⁶Animesh Roul, “Lashkar-e-Taiba’s financial network targets India from the Gulf States”, *Terrorism Monitor*, vol. 7, No. 19 (July 2009).

⁷Christopher Ward and William Byrd, *Afghanistan’s Opium Drug Economy*, South Asia Poverty Reduction and Economic Management Working Paper Series, No. SASPR-5 (Washington, D.C., World Bank, 2004).

⁸Diego Oré, “Latin American crime cartels turn to cryptocurrencies for money laundering”, *Reuters*, 8 December 2020.

requirements, they pose tremendous challenges for law enforcement entities. These systems are often based simply on the alteration of shipping documents or invoices, and thus frequently go undetected unless law enforcement entities in different jurisdictions work together to share information and compare documentation. The United Arab Emirates now requires hawaladars and informal money-transfer service providers to formally register with its central bank. The growing network of trade transparency units, which work to combat this method of money-laundering, has revealed the extent of transnational trade-based money-laundering through the monitoring of import and export documentation. These units focus on detecting anomalies in trade data – such as deliberate overinvoicing and underinvoicing – that can be a powerful indicator of trade-based money-laundering.

Box 3. The Vancouver model

Casinos and real estate are used for money-laundering. One method involving them is known as the Vancouver model. The process begins in China, where currency controls prevent citizens from taking more than \$50,000 out of the country.

To avoid that restriction, wealthy Chinese citizens enter into arrangements with domestic criminal syndicates with links to Vancouver, British Columbia, Canada. The citizens transfer money to criminal-controlled bank accounts in China before travelling to Vancouver, where the criminals' associates provide them with their funds in Canadian dollars. Those dollars may be profits from the sale of precursor chemicals or fentanyl.

The money is then laundered through casino gambling. The Chinese citizens visit casinos in Vancouver, exchange their money for casino chips and make a series of low-value bets before exchanging the chips back into Canadian dollars, now "clean" of their illegitimate criminal origin. The proceeds are invested either back into the acquisition of fentanyl supplies by the criminal gangs or into real estate in British Columbia by the Chinese citizens themselves, who are able to avoid the scrutiny of Chinese regulators and Chinese taxes by doing so.

The influx of foreign citizens buying property in Vancouver with laundered money has had an impact on the city, causing housing prices to rise to levels unaffordable for most local residents.^{a,b}

^aComply Advantage, "Money laundering: the Vancouver model", 7 January 2020; and Sam Cooper, "How Chinese gangs are laundering drug money through Vancouver real estate", Global News, 19 April 2018.

^bPeter M. German, *Turning the Tide: An Independent Review of Money Laundering in B.C. Real Estate, Luxury Vehicle Sales and Horse Racing*, Dirty Money Report, part 2 (March 2019).

18. Illicit financial flows derived from drug trafficking not only finance crime but also support terrorism. Terrorist groups are increasingly reliant on crime to fund their organizations; this is referred to as the convergence of terrorism and crime. Drug trafficking is a highly lucrative activity generating billions of dollars in profit that

terrorist organizations can easily tap into. The ties between international terrorist organizations and drug trafficking vary greatly from organization to organization. In Colombia, FARC-EP sustained itself through cocaine trafficking for decades. The objective of the group was to overthrow the established order in Colombia and replace it with a socialist dictatorship. In its attempts to destabilize the Government of Colombia, FARC-EP carried out bombings, extortions, selective assassinations, kidnappings and armed confrontations with Colombian police and military forces. However, drug trafficking profits were its principal source of funding.⁹

19. Historically, Afghanistan has been a major source of heroin globally. UNODC has indicated that at least 85 per cent of the world's heroin is sourced from Afghanistan. The Taliban's association with the opium economy also indicates a correlation between drug trafficking and terrorism. Between 2000 and 2015, when the Taliban were profiting from drug trafficking and assuming greater control over the regions in Afghanistan where opium poppy was cultivated, they were also responsible for 73 per cent of all terrorism-related deaths in Afghanistan and approximately 13 per cent of all terrorism-related deaths worldwide.¹⁰ As the Taliban sought to expand and consolidate control over the illicit production and manufacture of and trafficking in drugs, the relative costs of heroin and methamphetamine made the latter an attractive diversification, methamphetamine being even more profitable than heroin. The Taliban are said to have earned about \$3 billion annually trafficking opium and heroin. The evolving methamphetamine markets could make drug trafficking in Afghanistan even more lucrative.

Global estimates of the scale and nature of illicit financial flows

20. Measuring the size and scale of illicit financial flows related to drug trafficking is a formidable challenge, since estimates of illicit financial flows from drug trafficking are extrapolated from data on crop cultivation, precursor chemical purchases, the potential for illegal drug production, drug seizures by law enforcement entities, wholesale and retail sales estimates and consumption rates, among others. It is difficult to accurately measure inbound and outbound illicit financial flows in relation to a specific country.

⁹Steven C. McCraw, Assistant Director, Office of Intelligence, Federal Bureau of Investigation, testimony before the Senate Judiciary Committee, Washington, D.C., 20 May 2003.

¹⁰UNODC, Education for Justice University Module Series, Organized crime/counter-terrorism, Module 16: Linkages between organized crime and terrorism, "Terrorism and drug trafficking: key facts".

21. In a 2011 report based on a meta-analysis of existing estimates, the United Nations considered that the amount available for laundering through the financial system was equivalent to 2.7 per cent (2.1–4.0 per cent) of global GDP, or \$1.6 trillion, in 2009. If only flows related to drug trafficking and other transnational organized criminal activities were considered, the related proceeds would have been equivalent to about \$650 billion per year in the first decade of the new millennium, equivalent to 1.5 per cent of global GDP, or \$870 billion, in 2009. Drugs accounted for some 20 per cent (17–25 per cent) of all crime proceeds, about half of transnational organized crime proceeds and 0.6–0.9 per cent of global GDP. The measurement method consisted of: (a) calculating the financial gains arising from transnational criminal activities at the various subregional levels; (b) estimating the amounts – arising from transnational criminal activities in the various subregions – that enter the financial system; and (c) estimating the amounts that cross borders for money-laundering purposes, reflecting the actual transnational illicit financial flows from the proceeds of transnational crime.¹¹

22. In 2014, it was estimated that the global drug trafficking market was worth between \$426 billion and \$652 billion. This represents about one third of the total revenue of transnational crime, estimated to range between \$1.6 trillion and \$2.2 trillion per year.¹²

23. In the United States, spending on cannabis, cocaine, heroin and methamphetamine reached nearly \$150 billion in 2016, with a large proportion of spending coming from the small share of people who use drugs on a daily or near-daily basis. Researchers estimated that, between 2006 and 2016, the total amount of money spent on those four drugs fluctuated between \$120 billion and \$145 billion each year. By comparison, spending on alcohol in the United States was estimated to be \$158 billion in 2017.¹³

24. The size of the illegal opiate economy of Afghanistan is significant when compared with the size of its licit economy. The country is the world's leading producer of illicit opiates and is the source of more than 80 per cent of global illicit opium production. Despite falling by two thirds, from \$4.1 billion–\$6.6 billion in 2017 to

\$1.2 billion–\$2.2 billion in 2018, the illicit gross output of the Afghan opiate economy still accounted for 6–11 per cent of the country's GDP and exceeded the value of its officially recorded licit exports of goods and services.¹⁴

Illicit financial flows and corruption

25. Factors contributing to illicit financial flows and corruption include weak political will, ineffective institutions and deficient anti-money-laundering mechanisms. One action that Governments are taking to address the problem is asset recovery. To that end, consistent enforcement is required to support legislative and institutional reforms for addressing and preventing corruption. For example, in 2020, Kyrgyzstan passed an anti-corruption strategy for the period 2021–2024, which includes plans to improve the repatriation of stolen assets, and the Government of Mozambique adopted a new asset recovery bill as well as unique account numbers for individuals to use in banks nationwide. Also in 2020, Afghanistan issued regulations implementing asset forfeiture for corruption cases in the country's first such asset-recovery regulation and, in October of that year, officials in Afghanistan announced that they had prevented the illegal transfer of \$1.6 million over the preceding four months.¹⁵

Box 4. *Lava Jato* (“Car wash”) investigation

The *Lava Jato* (“Car wash”) investigation into corruption and money-laundering in Brazil began in 2014 and is perhaps the best-known case of grand corruption in the context of large, government-controlled companies and public works projects. What began as a money-laundering investigation unearthed corruption at the highest levels of the Government of Brazil and at companies, including State-owned firms, that had offered bribes in exchange for contracts in Brazil and abroad. According to the public prosecutor's office, by October 2018, the investigation had resulted in more than 200 convictions for crimes including corruption, abuse of the international financial system, drug trafficking and money-laundering. More than a dozen other corporations and multiple foreign leaders were also implicated. The investigation resulted in the return of about \$800 million to Brazil and sparked offshoot investigations around the world.^a

^aAmelia Cheatham, “Lava Jato: see how far Brazil's corruption probe reached”, Council on Foreign Relations, 19 April 2021.

¹¹UNODC, *Estimating Illicit Financial Flows Resulting from Drug Trafficking and Other Transnational Organized Crimes*, Research report (Vienna, 2011).

¹²Channing May and Christine Clough, *Transnational Crime and the Developing World* (Washington, D.C., Global Financial Integrity, 2017).

¹³Gregory Midgette and others, *What America's Users Spend on Illegal Drugs, 2006–2016* (Santa Monica, California, RAND Corporation, 2017).

26. The main organized criminal activities in the European Union include cybercrime and trafficking in

¹⁴*Report of the International Narcotics Control Board for 2020* (E/INCB/2020/1), para. 342.

¹⁵United States, Department of State, Bureau of International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report*, vol. I, Drug and Chemical Control (March 2021).

drugs. The key characteristics of organized crime in the European Union include corruption, the infiltration and exploitation of legal business structures for all types of criminal activity and the existence of a parallel underground financial system that allows criminals to move and invest their profits. The expansion and evolution of serious and organized crime in the European Union and the potential long-term implications of the COVID-19 pandemic, which may create ideal conditions for crime to thrive in the future, are of concern. Criminal networks are seeking to exploit the unprecedented crisis faced by the European Union as a result of the pandemic by targeting citizens, businesses and public institutions alike. Organized criminal groups are professional and highly adaptable, as shown during the pandemic, and 70 per cent are active in more than three countries.¹⁶

27. INCB welcomes the launch of a series of studies on illicit financial flows and asset recovery by the United Nations Interregional Crime and Justice Research Institute.¹⁷ These studies, covering Armenia, Azerbaijan, Georgia, Libya, the Republic of Moldova, Tunisia and Ukraine, highlight key actions to be taken to address illicit financial flows, including sectors within the countries that should be prioritized for financial capture and types of crime that should be targeted. The need for effective and efficient seizure and confiscation of assets linked to corruption and organized crime is highlighted.

Impact of illicit financial flows on the achievement of the Sustainable Development Goals

28. Illicit financial flows contribute to crime, corruption and distortions in the economy and represent a major disabler to sustainable development. They can have a direct impact on a country's ability to raise, retain and mobilize its own resources to finance sustainable development. A large number of Security Council resolutions contain references to forms of crime, and the Council has mandated a response to criminal flows and markets. Organized crime is increasingly undermining peace, security and development.

29. International commitments to curb trafficking in drugs and urgently address illicit financial flows have accelerated in recent years. The 1988 Convention expands upon the Single Convention on Narcotic Drugs of 1961

as amended by the 1972 Protocol and the Convention on Psychotropic Substances of 1971 in this regard. Article 3 of the 1988 Convention, on offences and sanctions, specifies that each party is to adopt such measures as may be necessary to establish as criminal offences under its domestic law, when committed intentionally, the production, manufacture, extraction, preparation, offering, offering for sale, distribution, sale, delivery on any terms whatsoever, brokerage, dispatch, dispatch in transit, transport, importation or exportation of any narcotic drug or any psychotropic substance. Article 5, on confiscation, addresses the proceeds from such offences and states that each party is to adopt such measures as may be necessary to enable confiscation of: (a) proceeds derived from offences established in accordance with article 3, paragraph 1, or property the value of which corresponds to that of such proceeds; and (b) narcotic drugs and psychotropic substances, materials and equipment or other instrumentalities used in or intended for use in any manner in offences established in accordance with article 3, paragraph 1. Also under article 5, each party is to adopt such measures as may be necessary to enable its competent authorities to identify, trace and freeze or seize proceeds, property, instrumentalities or any other things referred to in paragraph 1 of the same article, for the purpose of eventual confiscation. Bringing criminals, drug traffickers and their financiers to justice and forfeiting their assets are important objectives of the 1988 Convention, which serves as a framework for national laws around the world.

30. The Addis Ababa Action Agenda of the Third International Conference on Financing for Development provides a global financing framework to mobilize and deliver the resources, technology and partnerships needed for sustainable development. In it, Member States urge all countries to ratify and accede to the United Nations Convention against Corruption. They express support for the Stolen Asset Recovery (StAR) Initiative, undertake to combat money-laundering and the financing of terrorism and commit to ensuring effective implementation of the Organized Crime Convention. Similarly, the targets under Sustainable Development Goals 16 and 17 include promoting the rule of law at the national and international levels and ensuring equal access to justice for all; significantly reducing illicit financial and arms flows by 2030; substantially reducing corruption and bribery in all their forms; developing effective, accountable and transparent institutions at all levels; strengthening domestic resource mobilization, including through international support to developing countries; enhancing global macroeconomic stability; enhancing policy coherence for sustainable development; and respecting each other's policy space and leadership to establish and implement policies for poverty eradication and sustainable development.

¹⁶Europol, *Serious and Organised Crime Threat Assessment 2021*.

¹⁷Available at www.unicri.it/publications.

31. Illicit financial flows have a detrimental impact on development, especially in Africa. They cost African States \$88.6 billion per year; this is roughly equivalent to 3.7 per cent of the continent's GDP.¹⁸ Curbing these illicit financial flows will enable African States to mobilize greater domestic resources. African countries, therefore, should prioritize addressing illicit financial flows to reclaim financial resources that will be essential to implement the Sustainable Development Goals moving forward and to address the health, social and economic impacts of the COVID-19 pandemic. In Africa, it is estimated that the post-pandemic recovery will cost over \$150 billion, in addition to an annual financial gap of \$200 billion to achieve the Sustainable Development Goals.¹⁹ Illicit financial flows and corruption undermine foreign direct investment and aid and threaten the continent's development. The outflows are nearly the same as the combined total annual inflows of official development assistance to Africa (\$48 billion) and foreign direct investment (\$54 billion).²⁰ Illicit financial flows are thus draining away vital revenues from Africa, undermining stability and hindering progress towards achieving the Goals. They have negative implications for security, development and prosperity and therefore require more action to curb them and preserve economic resources for constructive purposes.

32. Developing countries are particularly vulnerable to illicit financial flows, which pose a huge challenge to political and economic security. Public priorities cannot be realized because of corruption, organized crime, illegal exploitation of natural resources, fraud in international trade and tax evasion. Strong international cooperation and concerted action by developed and developing countries, in partnership with the private sector and civil society, are therefore required.²¹ Illicit financial flows are also symptomatic of other issues, such as vested interests and weak transparency and accountability, that constrain poverty reduction and shared prosperity.

Impact of illicit financial flows on security and development

33. Illicit financial flows related to drug trafficking have a significant impact on security and economic

¹⁸UNCTAD, *Tackling Illicit Financial Flows for Sustainable Development in Africa: Economic Development in Africa – Report 2020* (United Nations publication, 2020).

¹⁹Gilles Carbonnier, "Curbing illicit financial flows to pay for sustainable development and COVID-19 recovery", *Georgetown University Journal of International Affairs*, 2 March 2021.

²⁰UNCTAD, *Tackling Illicit Financial Flows for Sustainable Development in Africa*.

²¹World Bank, "Illicit financial flows (IFFs)".

development because of the related violence and instability. While it is difficult to isolate and measure violence and instability directly related to trafficking in drugs, it is known that drug trafficking, as well as other crimes such as trafficking in persons and arms, engender violence because organized criminal groups use violence or the threat of violence to control their areas of operation and dominate rivals. Countries that suffer from high levels of crime and violence must devote significant resources to maintaining law and order and protecting their populations.

34. According to the Institute for Economics and Peace, in 2020, the world became less peaceful for the ninth time in the past 13 years, with the average level of country peacefulness deteriorating by 0.07 per cent over the year. The economic impact of violence to the global economy increased by 0.2 per cent in 2020, to \$14.96 trillion in purchasing power parity terms, equivalent to 11.6 per cent of global economic activity, or \$1,942 per person.²² The Global Peace Index, used to make those calculations, assesses the state of peace across three domains: (a) societal safety and security; (b) ongoing domestic and international conflict; and (c) degree of militarization. Direct costs encompassed by the index include immediate consequences of violence such as medical costs for victims of violent crime, capital destruction from violence and costs associated with security and judicial systems. Indirect costs include longer-term costs such as decreased productivity resulting from physical and psychological effects and the impact on the societal perception of safety and security.

35. The composition of the economic cost of violence varies across countries and regions. For example, the economic cost of homicide, violent crime and suicide represents the highest proportion in Central America and the Caribbean and sub-Saharan Africa, at 41 and 35 per cent, respectively. The cost of armed conflict as a proportion of the economic cost of violence is highest in sub-Saharan Africa, at 18 per cent, South America, at 13 per cent, and Central America and the Caribbean, at 12 per cent. In the 10 countries with the highest economic cost of violence, the average economic impact was equivalent to 36 per cent of GDP. In comparison, in the countries least affected by violence, the average economic cost was just under 4 per cent of GDP. The largest relative or proportional economic cost of violence was incurred in the Syrian Arab Republic, South Sudan, Afghanistan and the Central African Republic (82, 42, 40 and 37 per cent of GDP, respectively). Another measure is provided by the

²²Institute for Economics and Peace, *Global Peace Index 2021: Measuring Peace in a Complex World* (Sydney, June 2021).

Lloyd's Register Foundation World Risk Poll, which reflects perceptions of risk and violence in 145 countries. The poll identified that violence was specified as the biggest risk to daily safety in nearly one third of countries, and was the second most-cited risk globally, after road accidents. Globally, over 60 per cent of people are at least somewhat worried about being seriously harmed as a result of violent crime.²³

36. For decades, Colombia has experienced high levels of violence and citizen insecurity owing to internal armed conflict and narco-insurgency. Colombian organized criminal groups, such as drug trafficking mafias and paramilitary groups, are well armed and dangerous. The country suffers not only from a civil conflict but also from high levels of crime, forced displacement, kidnapping, illicit mining and drug trafficking. The economic impact of conflict, terrorism, homicides and sexual assaults in Colombia was over \$275 billion, 34 per cent of the country's GDP, in 2017. This figure also takes into account the costs of containing violence as well as the consequences of violence on the economy. Colombia was ranked 10th (out of 11 countries) in South America and 144th overall on the 2021 Global Peace Index. The country recorded a deterioration in its overall score as a result of increases in violent demonstrations and political terror. Deaths from internal conflict have also increased in recent years.²⁴

37. To bring peace to his country, the President of Colombia, Juan Manuel Santos, brokered a peace accord with FARC-EP, for which he won the Nobel Peace Prize in 2016. He instituted the Borders for Prosperity Plan to fight poverty and combat violence from illegal armed groups along the borders of Colombia through social and economic development, through which as much as \$32 million was spent on infrastructure, education, agricultural development and governance by 2014.²⁵ Colombia and many other countries are spending a large percentage of valuable resources on containing and preventing violence and promoting security and economic development. The less money that countries need to spend on responding to homicides, violent crimes and armed conflict, the more money they have for health, business, education and infrastructure.

38. The illicit economy in the Bolivarian Republic of Venezuela is directly affecting the security and development of the country and it is estimated that 90 per cent

of the country's population now live in poverty.²⁶ This crisis is, in part, fuelled by global cocaine production reaching record levels, with the Bolivarian Republic of Venezuela becoming an increasingly important strategic point for international cocaine trafficking.

39. The civil war in the Syrian Arab Republic has had detrimental effects on security and development, and trafficking in cannabis resin and the ATS sold as "captagon" has become increasingly important to the illicit economy in the country. While "captagon", for which Lebanon and the Syrian Arab Republic are reported as being source countries, was previously reported to be trafficked mainly to Middle Eastern markets, "captagon" tablets were seized in Austria, Italy and Malaysia in 2020 and 2021, potentially indicating new markets and trafficking routes. A large seizure made in Malaysia in March 2021 of "captagon" tablets containing amphetamine concealed in shipping containers arriving from the Middle East was estimated to have a value of \$1.26 billion.

40. Libya is a fragile State experiencing high levels of violence, criminality and corruption owing to its prevalent illicit economy. From the late 1990s, Libya had been a transit zone and small market for drugs in North Africa. The 2011 uprising upended the controlled disorder of that economy and made trafficking and smuggling more decentralized, significantly increasing the flow of illicit drugs and leading to a proliferation of local drug markets. Drug trafficking overlaps and intertwines with almost all other flows in the country's complex illicit economy, and drug trafficking and consumption fuel and feed off violence. While the international community has been focused primarily on the smuggling of migrants and fuel, drug trafficking has remained hugely profitable and is a top-tier element of the criminal economy of Libya. Blocks of cannabis resin from Morocco, transiting Libya to Egypt and onward to Europe through the Balkans, are the steadiest traffic in Libya. In addition, cocaine from South America headed to Europe and "ecstasy" and ATS are trafficked through the country. Moreover, trafficking in pharmaceutical drugs, especially tramadol, a potentially habit-forming opioid painkiller that is not under international control, has grown significantly. Overlaps between trafficking in drugs and smuggling of migrants flows are evident. Pharmaceutical drugs and small consignments of cannabis are often packed alongside migrants in cars and trucks. Migrants also occasionally traffic small amounts of cocaine or other drugs to pay for their journey.²⁷

²³Ibid.

²⁴Ibid.

²⁵Colombia, Ministry of Foreign Affairs, "Borders for Prosperity Plan". Available at www.cancilleria.gov.co/node/1294.

²⁶Brooke Fowler, "Top 10 facts about poverty in Venezuela", Borgen Project, 7 September 2018.

²⁷Fiona Mangan, "Illicit drug trafficking and use in Libya: highs and lows", *Peaceworks*, No. 161 (Washington, D.C., United States Institute of Peace, 2020).

41. With respect to security, trafficking in weapons is omnipresent and influences all other illicit flows in and through Libya, and the injection of arms has transformed smuggling and trafficking in the country. Trafficking, smuggling and drug use have had a particularly detrimental impact on the judicial and security sector in Libya. The significant financial flows obtained through trafficking and smuggling have empowered militia groups and diminished reform efforts and strategies for addressing related criminal dynamics. Once revolutionary armed groups became integrated into the State security architecture, brigades across the country's towns and cities jockeyed for control over key security functions and trafficking routes. Increased drug-related crime and insecurity have been reported by police, militia security providers, prosecutors and judges. In addition, the continuing security vacuum and widespread weapons ownership have contributed to an upsurge in criminality and violence in the country.²⁸

National responses to addressing illicit financial flows

42. Over the past two decades, countries have recognized the threat posed by illicit financial flows to their security and economic development and have taken action to improve their legal frameworks to combat money-laundering and the financing of terrorism. After the terrorist attacks in New York on 11 September 2001, nations enhanced their regimes to combat money-laundering and the financing of terrorism. Increased oversight and regulation of the formal banking system has required close partnership with the private sector to safeguard the international financial system. Nations have built significant capacity in their financial intelligence units and law enforcement agencies to detect and investigate suspicious transactions to counter money-laundering, financing of terrorism and other illicit financial flows. Similarly, judicial systems have devoted more resources to training prosecutors and judges regarding financial crimes that involve illicit financial flows. However, as money-laundering, tax evasion and corruption evolve, countries must adapt and respond to new manifestations of those flows.

43. For example, the United Kingdom of Great Britain and Northern Ireland created the National Economic Crime Centre, which brings together law enforcement and justice agencies, government departments, regulatory bodies and the private sector with the shared objective of addressing serious organized economic crime, protecting

the public and safeguarding the prosperity and reputation of the country as a financial centre. The UK Financial Intelligence Unit is responsible for receiving, analysing and disseminating financial intelligence gathered from suspicious activity reports, which are a critical intelligence resource for tackling money-laundering, terrorism, serious and organized crime, corruption and fraud. The Joint Financial Analysis Centre, hosted by the National Crime Agency, brings together officers, analytical capability, skills and intelligence from the National Crime Agency, Her Majesty's Revenue and Customs, the Financial Conduct Authority and the Serious Fraud Office. It was initially established in response to the Panama Papers leak; however, it has developed into a collaborative unit for wider financial analysis.²⁹

44. Morocco has made progress in combating transnational organized crime and money-laundering in recent years. The country's geographical location as a gateway between Europe and Africa makes it a conduit for smuggling, trafficking in drugs and in persons, money-laundering and clandestine migration. A new law combats trafficking in persons and money-laundering by broadly defining trafficking to include anyone who gives or receives payments or benefits related to trafficking and imposing heavy sentences on offenders. Trafficking in Moroccan-produced cannabis (especially cannabis resin) and, increasingly, trafficking in cocaine from Latin America to Europe via Morocco, generate significant illicit profits. Real estate, jewellery and vehicles are purchased to launder the proceeds of such drug trafficking. Money-transfer services present a vulnerability owing to the volume of funds remitted. Annual remittance transfers rose to \$6.7 billion in 2019, accounting for 5.6 per cent of GDP. The majority of transfers originate in Europe.³⁰

45. Morocco has been strengthening its anti-money-laundering regime through coordination and capacity-building. The country has key laws and regulations in place, including compliance programmes and suspicious transaction report procedures, and in 2019 brought its politically exposed persons requirements into line with international standards. In 2019, Morocco adopted a national risk assessment and institutionalized a national committee to coordinate the country's anti-money-

²⁹United Kingdom, National Crime Agency, Money laundering and illicit finance, "The threat from money laundering". Available at www.nationalcrimeagency.gov.uk.

³⁰United States, Department of State, Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report*, vol. II, *Money Laundering* (March 2021); and Middle East and North Africa Financial Action Task Force, *Anti-Money Laundering and Counter-Terrorist Financing Measures: Kingdom of Morocco – Mutual Evaluation Report* (Manama, 2019).

²⁸Ibid.

laundering strategy. Morocco has also increased the number of law enforcement assets dedicated to money-laundering investigations, resulting in an increase in criminal cases involving money-laundering, from 30 in 2019 to 193 in 2020. There were only 8 convictions for money-laundering in the 10 years leading up to 2018, compared with 62 in 2019 and 2020, combined. Morocco continues to work closely with international partners and the Government has implemented applicable multilateral agreements and voluntarily initiated exchanges with private-sector partners to address key vulnerabilities.³¹

46. Anonymous shell companies concealing beneficial ownership have been critical enablers of illicit financial flows, money-laundering and tax evasion around the world. In 2020, the United States Congress passed the Corporate Transparency Act. The Act requires all United States businesses to file beneficial ownership information with the Financial Crimes Enforcement Network and is designed to counter the use of anonymous shell companies by drug traffickers, organized criminal groups, corrupt officials and some regimes to launder money, evade sanctions and hide and move corrupt proceeds and other illicit assets. It represents the first significant update to the country's anti-money-laundering laws in 20 years and requires the establishment of new federal beneficial ownership reporting requirements for certain entities, including foreign entities that operate in the United States, and the maintenance by the Financial Crimes Enforcement Network of a federal database for the beneficial ownership information collected.³² The legislation will also help to regulate international business companies, which can be purchased over the Internet and provide anonymity to owners.³³

47. Other measures taken in 2020 with a view to increasing transparency and combating illicit financial flows include the following: (a) in the Bahamas, the Attorney General's Office and the Financial Intelligence Unit implemented a secure search system for accessing online information on the beneficial ownership of legal entities registered in the country; (b) Belize enacted legislation to give effect to tax transparency obligations; (c) the names of subscribers, registered offices, year-end share capital and the nature of business of companies in

the Cayman Islands must be made publicly available; (d) all corporate and other legal entities in the Netherlands are required to list their ultimate beneficial owners in a transparent register; and (e) the United Arab Emirates Council of Ministers issued a resolution requiring declaration of beneficial ownership, shareholder disclosure and timely updating of ownership information.³⁴

48. Beneficial ownership registers have been developed to provide competent authorities with reliable information on the ultimate beneficial owners of companies or trusts. The concept is, however, proving difficult to implement, with few results being achieved. The majority of existing beneficial ownership registers are either mostly or completely ineffective at providing reliable information to the competent authorities on the ultimate beneficial owners of companies or trusts incorporated in the jurisdiction.³⁵

International efforts against illicit financial flows

49. There are both treaties and international bodies aimed at curbing international financial flows. For example, the Financial Action Task Force serves as the global money-laundering and financing of terrorism watchdog. It is an intergovernmental body that sets international standards aimed at preventing those illegal activities and the harm they cause to society. It was created by the leaders of the Group of Seven countries in 1989 in order to address the threat posed by money-laundering to the international financial system. It developed the International Standards on Combating Money Laundering and the Financing of Terrorism and Proliferation to ensure a coordinated global response to prevent organized crime, corruption and terrorism. The Financial Action Task Force reviews money-laundering and financing of terrorism techniques in order to address new risks, such as virtual assets, which have spread as cryptocurrencies have gained in popularity. Its work is complemented by regional bodies, which serve as regional centres for matters related to countering money-laundering and the financing of terrorism. Their primary purpose is to promote the implementation of comprehensive regimes to counter money-laundering and the financing of terrorism and implement the International Standards in their member jurisdictions.

³¹United States, Department of State, Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report*, vol. II.

³²Lewis Ziropiannis and others, "What you need to know about the Corporate Transparency Act", *The National Law Review*, vol. XI, No. 12 (January 2021).

³³United States, Department of State, Bureau for International Narcotics and Law Enforcement Affairs, *International Narcotics Control Strategy Report*, vol. II.

³⁴Ibid.

³⁵Basel Institute on Governance, "Beneficial ownership transparency is a pillar of anti-money laundering systems – so it needs to stand up. Insights from the Basel AML Index 2021", 20 September 2021.

50. The Egmont Group of Financial Intelligence Units is the international standard-setter for financial intelligence units, which are central national agencies responsible for receiving, requesting, analysing and/or disseminating disclosures of financial information to the competent authorities, primarily concerning suspected proceeds of crime and potential financing of terrorism. Their mandates come from national legislation or regulation and they are usually located in a country's central bank or ministry of finance. The Egmont Group was created with the goal of serving as a centre to overcome the obstacles preventing cross-border information-sharing between financial intelligence units.

51. The key United Nations instruments that establish legal obligations in the field of illicit financial flows are as follows:

(a) United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, which includes provisions on money-laundering and international cooperation, in particular, article 3, paragraph 1 (b);

(b) United Nations Convention against Transnational Organized Crime, which requires parties to criminalize money-laundering and includes frameworks for extradition, mutual legal assistance and law enforcement cooperation;

(c) International Convention for the Suppression of the Financing of Terrorism, which requires States to criminalize the financing of terrorism and adopt powers to freeze and seize funds intended for terrorist activities;

(d) United Nations Convention against Corruption, which requires parties to take measures to prevent and criminalize corruption and provide international cooperation, including in asset recovery in relation to corruption cases.

52. As new financial services that make use of advanced information and communications technologies grow quickly worldwide, the threat of illicit financial flows continues to grow exponentially, compromising the integrity of financial system information and impeding the ability of financial institutions to monitor and assess the risk of processing online transactions related to trafficking in potentially dangerous substances. Through various measures, including the convening of global stakeholder

consultations, the INCB GRIDS Programme has raised awareness among Governments and their private-sector partners in the financial service industry about the potential generation of illicit financial flows through the manufacture of and trade in dangerous substances (mainly non-medical synthetic opioids, NPS and related precursors). The Programme has also encouraged and supported voluntary cooperation efforts between Governments and financial-service providers, such as money- or value-transfer service providers, including hawala and similar service providers and virtual asset service providers, all of which are concerned about their services potentially being exploited by those trafficking in dangerous substances. Furthermore, the Programme provides timely assistance to support investigations by government authorities, at their request. Through these actions, the GRIDS Programme facilitates the implementation by Governments of their commitments contained in the outcome document of the thirtieth special session of the General Assembly, entitled "Our joint commitment to effectively addressing and countering the world drug problem".

Challenges for the international community and recommendations to address illicit financial flows related to drug trafficking

53. Illicit financial flows related to crimes such as drug trafficking undermine the global financial system and threaten political, economic and social stability and security around the world. Illicit financial flows also promote bribery and corruption, finance insurgency and, in some cases, terrorist activities. They also destabilize and deter legitimate enterprise, foreign investment and development. Money-launderers and terrorist financiers exploit loopholes in and differences among national systems for countering money-laundering and the financing of terrorism and move their funds to or through jurisdictions with weaker or ineffective legal and institutional frameworks. Therefore, the international community must work together to reduce illicit financial flows by detecting, monitoring, seizing, repatriating and preventing them. Those engaged in illicit financial flows contribute to crime, violence, instability, corruption and inequality. Since illicit financial flows know no borders or nationality, all countries must do their part to address them.

54. In order to curb illicit financial flows related to drug trafficking and prevent their impact on development and security, the Board recommends that all Governments:

(a) Improve methods to identify, measure and calculate inbound and outbound illicit financial flows and identify the illicit activities to which they are related;

(b) Focus equally on drug supply- and demand-reduction strategies that also address illicit financial flows and engage the public and private sectors and civil society in countering drug trafficking and illicit financial flows;

(c) Become parties to and implement all United Nations conventions related to countering transnational organized crime, in particular trafficking in drugs, illicit financial flows and corruption, and implement all the provisions of article 3, paragraph 1 (b), of the 1988 Convention, as well as those of the International Standards on Combating Money Laundering and the Financing of Terrorism and Proliferation of the Financial Action Task Force;

(d) Further strengthen anti-money-laundering measures, such as beneficial ownership laws, across nations so that advantage cannot be taken of regulatory weaknesses in some jurisdictions to avoid the detection of and sanctions for illicit financial flows;

(e) Continue to conduct financial sector assessments, provide technical assistance to the financial and non-financial sectors and monitor economic systems to ensure compliance with the International Standards on

Combating Money Laundering and the Financing of Terrorism and Proliferation;

(f) Establish specialized units or task forces at the national and international levels to share intelligence and investigate illicit financial flows, identify and seize assets and detect, dismantle and deter organized criminal networks involved in illicit financial flows;

(g) Raise awareness by working with the private and non-governmental sectors to educate government leaders and the public about how illicit financial flows related to drug trafficking have a negative impact on political, economic and social stability and development around the world, including by exploring the potential for utilizing proceeds of asset recovery and forfeiture of property related to drug trafficking to expand the availability of drug prevention, treatment and rehabilitation services;

(h) Take steps to prevent the possible exploitation of newly emerging financial services and products, such as e-wallet services and cryptocurrencies, for trafficking in dangerous substances;

(i) Combat impunity through more effective transparency laws that provide for appropriate penalties for individuals and entities involved in corruption and illicit financial flows;

(j) Promote a culture of accountability and transparency to curb corruption and the illicit economy by including civic and moral values in educational curricula from an early stage.

Chapter II.

Functioning of the international drug control system

A. Promoting the consistent application of the international drug control treaties

55. The stated objective of the three international drug control conventions is to safeguard the health and welfare of humankind through two overarching goals, namely: (a) ensuring the availability of controlled narcotic drugs and psychotropic substances for medical and scientific purposes and ensuring the availability of precursor chemicals for legitimate industrial use; and (b) preventing the diversion of controlled substances into illicit channels.

56. The international drug control conventions, supplemented by additional control measures adopted by the General Assembly, the Economic and Social Council and the Commission on Narcotic Drugs, are the expression of the international community's commitment to finding concerted responses to common challenges in the spirit of joint and shared responsibility. This commitment is reflected in the fact that the conventions are among the most widely ratified international instruments.

57. The continued relevance of the instruments has been highlighted by the global health emergency brought about by the COVID-19 pandemic. This crisis has emphasized the need to take measures to address unequal access to controlled substances for medical treatment and has exposed the adaptability of drug traffickers in terms of identifying new methods of both smuggling and diversion, which in turn has emphasized the need for cooperation among States in the area of supply reduction. The crisis has also exacerbated drug dependence and the use of drugs for non-medical purposes through increases in

substance misuse brought about by physical and psychological isolation and the interruption of access to treatment services.

58. In the pursuit of its treaty monitoring functions, the Board reviews the implementation by States parties of the international legal obligations stemming from the three international drug conventions. The present section sets out actions to be taken by States to ensure the performance of their treaty obligations, including challenges encountered and recommendations to address them.

1. Status of adherence to the international drug control treaties

59. In the period under review, there were no changes to the status of adherence to the international drug control conventions.

60. The 1961 Convention as amended has been ratified or acceded to by 186 States, with the following States having yet to become parties: Cook Islands, Equatorial Guinea, Kiribati, Nauru, Niue, Samoa, South Sudan, Timor-Leste, Tuvalu and Vanuatu. Chad has ratified the 1961 Convention in its unamended form.

61. The 1971 Convention has 184 States parties. The Cook Islands, Equatorial Guinea, Haiti, Kiribati, Liberia, Nauru, Niue, Samoa, Solomon Islands, South Sudan, Timor-Leste, Tuvalu and Vanuatu have not yet acceded to it.

62. The 1988 Convention has a total of 191 parties (190 States and the European Union), making it the most

widely ratified of the three international drug control conventions. The States that have not yet acceded to it are Equatorial Guinea, Kiribati, Papua New Guinea, Solomon Islands, Somalia, South Sudan and Tuvalu.

63. The three international drug control conventions provide a common normative framework for effective international drug control, in particular in their capacity as the legal basis for international cooperation, extradition and mutual legal assistance. As such, the Board continues to engage with States having yet to become party to one or more of the three conventions with the aim of supporting them in this pursuit and to encourage the comprehensive incorporation of the conventions into national law.

2. Changes to the scheduling of substances under international control

Narcotic drugs

64. At its sixty-fourth session, held from 12 to 16 April 2021, the Commission on Narcotic Drugs, in its decision 64/1, included one new substance, isotonitazene, in Schedule I of the 1961 Convention as amended. In accordance with article 3, paragraph 7, of that Convention, that decision was communicated by the Secretary-General to all Governments, WHO and the Board on 10 June 2021 and became effective with respect to each party upon receipt of that notification. As it is a synthetic opioid with a high potential for abuse and dependence and has potency greater than that of morphine or fentanyl, the WHO Expert Committee on Drug Dependence had recommended that isotonitazene be placed in Schedule I of the 1961 Convention as amended.

Psychotropic substances

65. Also at its sixty-fourth session, the Commission on Narcotic Drugs decided, in its decisions 64/2, 64/3, 64/4, 64/5, 64/6, 64/7 and 64/8, to include seven new substances in the schedules of the 1971 Convention. Four substances, namely, CUMYL-PEGACLONE, MDMB-4en-PINACA, 3-methoxyphencyclidine and diphenidine, were included in Schedule II; and three substances, namely, clonazolam, diclazepam and flubromazolam, were included in Schedule IV. With those additions, the total number of substances controlled under the 1971 Convention was brought to 166.

66. The scheduling decisions became fully effective on 7 December 2021, namely, 180 days after the date of communication by the Secretary-General.

Precursor chemicals

67. In October 2021, the Government of the United States proposed that three precursors of fentanyl and fentanyl-related substances, namely 4-AP, boc-4-AP and norfentanyl, be scheduled under the 1988 Convention. Pursuant to the procedure set out in article 12, paragraph 3, of that Convention, Governments were invited to submit their comments and supplementary information for each of the chemicals to assist the Board in establishing assessments and making scheduling recommendations to the Commission on Narcotic Drugs at its sixty-fifth session.

3. Submission of information by Governments to the Board

(a) Statistical reports for narcotic drugs, psychotropic substances and precursor chemicals

68. In accordance with its mandate, the Board publishes an annual report and a report on the implementation of article 12 of the 1988 Convention. The Board also publishes technical reports that provide Governments with an analysis of statistical information on the manufacture, consumption, utilization and stocks of and trade in internationally controlled substances, together with an analysis of estimates and assessments of requirements for those substances.

69. The Board's reports and technical publications are produced on the basis of information that parties to the international drug control treaties are obligated to submit. In addition, pursuant to resolutions of the Economic and Social Council and the Commission on Narcotic Drugs, Governments voluntarily provide information in order to facilitate an accurate and comprehensive evaluation of the functioning of the international drug and precursor control system.

70. The data and other information received from Governments enable the Board to monitor licit activities involving narcotic drugs, psychotropic substances and precursor chemicals and to evaluate treaty compliance and the overall functioning of the international drug and

precursor control system. On the basis of its analysis, the Board makes recommendations to improve the workings of the system with a view to ensuring the availability of narcotic drugs, psychotropic substances and precursors for medical, scientific and industrial needs, while at the same time preventing their diversion from licit into illicit channels.

Narcotic drugs

71. As at 1 November 2021, the Board had received annual statistical reports from 167 States (both parties and non-parties) and territories on the production, manufacture, consumption, stocks and seizures of narcotic drugs covering the calendar year 2020 (form C), or about 78 per cent of those requested. That number was slightly higher than the number of reports received by the same cut-off date in 2020, but still lower than the year before the COVID-19 pandemic (158 reports were submitted for 2019 and 173 for 2018). The decrease is probably due to the difficulties experienced in the collection of data by the competent national authorities as a result of the continuing impact of the pandemic. However, most large manufacturing, consuming and exporting countries did submit statistics.

72. A total of 99 Governments, or 59 per cent of all Governments providing data, submitted their statistical forms on time, that is, by the deadline of 30 June 2021, which was less than in 2020 (109 Governments). As at 1 November 2021, 46 Governments (22 per cent) – that is, 38 countries and 8 territories – had not submitted their annual statistics for 2020. It is expected that several additional countries and territories will be submitting the data over the coming months. Most countries and territories that have not submitted their reports are in Africa, the Caribbean, Asia and Oceania and some are in conflict and post-conflict situations, which, in addition to a general lack of human and financial resources arising from such situations, presents additional obstacles to drug control efforts.

73. Most countries that produce, manufacture, import, export or consume large amounts of narcotic drugs submitted annual statistics, although of differing quality. Accurate and timely reporting is an important indicator of the effectiveness and efficiency of drug control systems and the availability of good data is vital for the Board to accurately carry out the monitoring function accorded to it under the international drug control treaties. The quality of some data is a concern for the Board, in particular if they are data from major producing and manufacturing countries, as they indicate deficiencies in national

mechanisms for regulating and monitoring internationally controlled substances. **The Board urges Governments to continue to strengthen their national mechanisms to monitor the cultivation, production and manufacture of and trade in controlled substances. This may be achieved, in part, by improving and developing national data-collection systems, training staff of the competent national authorities and ensuring close cooperation with companies licensed to deal with internationally controlled substances.**

74. As at 1 November 2021, the complete set of four quarterly statistics of imports and exports of narcotic drugs for 2020 (form A) had been received from 179 Governments (162 countries and 17 territories), or about 84 per cent of the 213 Governments requested. In addition, nine Governments (about 4 per cent) had submitted at least one quarterly report. A total of 25 countries (about 12 per cent) had failed to submit any quarterly statistics for 2020.

Psychotropic substances

75. The number of annual statistical reports on psychotropic substances submitted for 2020 (form P), in accordance with article 16 of the 1971 Convention, decreased in comparison to the year before. As at 1 November 2021, annual statistical reports for 2020 had been submitted by 153 countries and 13 territories. Of the 184 States parties to the Convention, 147, representing 80 per cent, had submitted their annual statistical report, out of which 84, or 57 per cent, did so by the 30 June deadline. A small number of States parties to the Convention continued to submit statistics through partner countries. Furthermore, the Board received annual statistics from 13 countries that are not parties to the Convention but that submit national data on a voluntary basis.

76. In addition, 112 Governments voluntarily submitted all four quarterly statistical reports for 2020 on imports and exports of substances listed in Schedule II of the 1971 Convention, as requested by the Economic and Social Council in its resolution 1981/7, and a further 35 Governments submitted at least one quarterly report for 2020. **The Board notes with satisfaction the good rate of submission of the annual statistical reports for 2020 on psychotropic substances and the number of non-party countries and territories that have submitted an annual report, taking into consideration limitations related to the COVID-19 pandemic.**

77. While the Board takes into account pandemic-related limitations in all parts of the world, it notes with

concern the high percentage of States parties that did not furnish form P. A total of 24 countries and territories in Africa failed to furnish form P for 2020. Likewise, nine countries and territories in Oceania, eight countries and territories in Central America and the Caribbean, three countries in South America, three countries in Asia and one country in Europe failed to furnish form P for 2020. Form P for 2020 was furnished by all countries in North America.

78. The Board takes note of the countries that have provided data regarding their use of psychotropic substances for the manufacture of preparations exempted from some measures of control pursuant to article 3 of the 1971 Convention: nine countries reported using 40 substances for such purposes in 2020. **The Board recalls recommendation 13 from its annual report for 2019, in which it called upon Governments to ensure that all aspects of article 3 of the 1971 Convention were correctly implemented if they wished to exempt a preparation from certain measures of control.**

79. The Economic and Social Council, in its resolutions 1985/15 and 1987/30, requested Governments to provide the Board with details on trade (data broken down by countries of origin and destination) in substances listed in Schedules III and IV of the 1971 Convention in their annual statistical reports on psychotropic substances. As at 1 November 2021, complete details on such trade had been submitted by 147 Governments (89 per cent of all submissions of form P for 2020). A further 19 Governments submitted blank forms or forms containing incomplete trade data for 2020.

80. The Board notes with appreciation that a number of countries have already submitted consumption data for psychotropic substances on a voluntary basis, in accordance with Commission on Narcotic Drugs resolution 54/6.

81. For 2020, a total of 95 countries and territories submitted data on the consumption of some or all psychotropic substances. **The Board appreciates the cooperation of the Governments concerned and calls upon all Governments to report on the consumption of psychotropic substances on an annual basis, pursuant to Commission on Narcotic Drugs resolution 54/6, as such data are essential for an improved evaluation of the availability of psychotropic substances for medical and scientific purposes.**

82. The Board notes with appreciation that reports on seizures of psychotropic substances were furnished by the Governments of India, Iran (Islamic Republic of),

Mozambique, Norway, Romania, the Russian Federation and the Syrian Arab Republic. **The Board welcomes reports from Member States on their interdiction efforts and calls upon all Governments to furnish regularly to the Board, pursuant to Commission on Narcotic Drugs resolution 50/11, information on seizures of psychotropic substances ordered over the Internet and delivered through the mail.**

Precursor chemicals

83. Under article 12 of the 1988 Convention, parties are obliged to furnish information on seizures of substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances. That information, provided on form D, helps the Board to monitor and identify trends in trafficking in precursors and the illicit manufacture of drugs. Together with information provided voluntarily on licit trade in such substances, it also enables the Board to offer recommendations to Governments concerning remedial action and policies, as necessary.

84. As at 1 November 2021, a total of 122 States parties, corresponding to almost 65 per cent of the States parties to the 1988 Convention, had submitted form D for 2020. From the total number of States parties that provided data on form D for 2020, 88 reported the mandatory information on seizures of substances listed in Tables I or II of the 1988 Convention and only 72 reported seizures of non-scheduled substances, even though the proliferation of such chemicals has become one of the biggest contemporary challenges in international precursor control. As in previous years, most Governments did not provide details on the methods of diversion and illicit manufacture. **The Board reiterates its call to Governments to make every effort to collect and report complete precursor statistics, as mandated in article 12, paragraph 12, of the 1988 Convention, and to submit form D on time and consolidated into a single submission.**

85. Pursuant to Economic and Social Council resolution 1995/20, Governments are requested to provide information regarding their licit trade in substances listed in Tables I and II of the 1988 Convention on a voluntary and confidential basis. As at 1 November 2021, 112 States parties had provided such information for 2020 to the Board, and 103 States parties had furnished data on licit uses of and/or requirements for one or more of the substances in Tables I and II of the 1988 Convention.

86. Data on seizures of precursor chemicals received annually from Governments by means of form D are

complemented by specific information provided through PICS, which has been in use for the past 10 years. Through PICS, Governments can share real-time information on chemical-related incidents such as seizures, shipments stopped in transit, diversions and the discovery of illicit laboratories and associated equipment. Information provided through the platform has often provided the missing link for national authorities to initiate backtracking investigations in relation to precursor incidents, often leading to further seizures, and has prevented diversions. Since early 2019, a complementary focus of PICS has been the exchange of information on incidents involving illicit drug manufacturing equipment, as one element to enhance use of article 13 of the 1988 Convention (for more details on PICS, see paras. 363–365 below).

87. The seizure data reported and a detailed analysis of the latest trends and developments in trafficking in precursors under international control, as well as substances not included in Tables I or II of the 1988 Convention, can be found in the Board's report for 2021 on the implementation of article 12 of the 1988 Convention.³⁶

(b) Estimates for narcotic drugs, assessments for psychotropic substances and annual legitimate requirements for precursor chemicals

Narcotic drugs

88. The system of estimates and assessments of annual legitimate requirements for narcotic drugs and psychotropic substances is the cornerstone of the international drug control system. It enables both exporting and importing countries to ensure that trade in those substances stays within the limits determined by the Governments of importing countries and that diversion of controlled substances from international trade is effectively prevented. For narcotic drugs, such a system is mandatory under the 1961 Convention as amended, and the estimates furnished by Governments need to be confirmed by the Board before becoming the basis for calculating the limits on manufacture and import. As at 1 November 2021, the Governments of 175 countries and territories, or 82 per cent of those requested, had submitted annual estimates of requirements for narcotic drugs for 2022. To ensure that Governments may import narcotic drugs for medical and scientific purposes, estimates are established by the Board for countries that are unable to supply them and,

in 2021, a total of 28 countries in all regions of the world operated on the basis of estimates established for them by the Board.

89. Governments are obliged to comply with the limits on imports and exports of narcotic drugs provided for under articles 21 and 31 of the 1961 Convention as amended. Article 21 stipulates, *inter alia*, that the total of the quantities of each drug manufactured and imported by any country or territory in a given year is not to exceed the sum of the following: (a) the quantity consumed for medical and scientific purposes; (b) the quantity used, within the limits of the relevant estimates, for the manufacture of other drugs, preparations or substances; (c) the quantity exported; (d) the quantity added to the stock for the purpose of bringing that stock up to the level specified in the relevant estimate; and (e) the quantity acquired within the limit of the relevant estimate for special purposes. Article 31 requires all exporting countries to limit the export of narcotic drugs to any country or territory to quantities that fall within the limits of the total of the estimates of the importing country or territory, with the addition of the amounts intended for re-export.

90. The system of imports and exports continues to be implemented by Governments and, as trade increases, it works well. In 2021, a total of 18 countries were contacted regarding possible excess imports or excess exports identified with regard to international trade in narcotic drugs that had been effected during 2020. As at 1 November 2021, 13 of those countries had responded. The Board continues to pursue the matter with those countries that have not responded.

91. **The Board recommends that Governments continue to strengthen the capacity of competent national authorities to adequately estimate the medical and scientific need for narcotic drugs, including through the use of globally available e-learning modules, and also recommends that Governments enhance domestic data-collection mechanisms so that they can present estimates that reflect the national need for narcotic drugs for medical purposes.**

Psychotropic substances

92. Pursuant to Economic and Social Council resolutions 1981/7 and 1991/44, Governments are requested to provide to the Board assessments of annual domestic medical and scientific requirements for psychotropic substances listed in Schedules II, III and IV of the 1971 Convention. The assessments received are communicated to all States and territories to assist the competent authorities of exporting

³⁶E/INCB/2021/4.

countries when approving exports of psychotropic substances. As at 1 November 2021, the Governments of all countries and territories, except for South Sudan, for which assessments were established by the Board in 2011, had submitted at least one assessment of their annual medical requirements for psychotropic substances.

93. **The Board recommends that Governments review and update the assessments of their annual medical and scientific requirements for psychotropic substances at least every three years.** However, 44 Governments have not submitted a revision of their legitimate requirements for psychotropic substances for three years or more. The assessments for those countries and territories may therefore no longer reflect their actual medical and scientific requirements for such substances.

94. When assessments are lower than the actual legitimate requirements, the importation of psychotropic substances needed for medical or scientific purposes may be delayed. When assessments are significantly higher than legitimate needs, the risk of psychotropic substances being diverted into illicit channels may be increased.

95. As in previous years, the system of assessments of annual requirements for psychotropic substances continues to function well and is respected by most countries and territories. In 2020, the authorities of 17 countries issued import authorizations for substances for which they had not established any such assessments or for quantities that significantly exceeded their assessments. Only one country was identified as having exported psychotropic substances in quantities exceeding the relevant assessment.

Precursor chemicals

96. In its resolution 49/3, entitled “Strengthening systems for the control of precursor chemicals used in the manufacture of synthetic drugs”, the Commission on Narcotics Drugs requested Member States to provide the Board with estimates of annual legitimate requirements for imports of four ATS precursors (ephedrine, pseudoephedrine, 3,4-methylenedioxyphenyl-2-propanone (3,4-MDP-2-P) and 1-phenyl-2-propanone (P-2-P)) and, to the extent possible, preparations containing those substances that could be easily used or recovered by readily applicable means. The estimates help Governments to assess the legitimacy of shipments and to identify any excesses in proposed imports for the substances.

97. Although these estimates are provided to the Board on a voluntary basis, the majority of countries submit them annually. As at 1 November 2021, 179 Governments

had provided an estimate of their annual legitimate requirement for at least one of the above-mentioned substances. During the reporting period (November 2020–November 2021), more than 120 Governments reconfirmed or updated their annual legitimate requirements for at least one substance. The Governments of seven countries, namely Dominica, Gabon, Grenada, Kuwait, Micronesia (Federated States of), the Niger and North Macedonia, submitted an estimate for the first time for at least one of the above-mentioned four substances.

98. Governments provide estimates of annual legitimate requirements for precursors on form D and can update them at any time throughout the year by submitting the information to the Board using any formal means of communication. Tables with the latest annual legitimate requirements, as updated or reconfirmed by countries and territories, are regularly published on the Board’s website. They are also accessible to registered users through PEN Online.

4. Efforts to prevent diversion from international trade

99. The system of control measures laid down in the 1961 Convention as amended provides for the monitoring of international trade in narcotic drugs to prevent the diversion of such drugs into illicit channels. As a result of the almost-universal implementation of the control measures stipulated in the 1971 Convention and the relevant Economic and Social Council resolutions, there has been only one identified case involving the diversion of psychotropic substances from international trade into illicit channels in recent years. In addition, the 1988 Convention requires parties to prevent the diversion of precursor chemicals from international trade to the illicit manufacture of narcotic drugs and psychotropic substances. The Board has developed various systems to monitor compliance with that aspect of the 1988 Convention and to facilitate cooperation between Governments to that end.

Requirement for import and export authorizations

100. The universal application of the requirement for import and export authorizations laid down in the 1961 Convention as amended and the 1971 Convention is key to preventing the diversion of drugs into the illicit market. Such authorizations are required for transactions involving any of the substances controlled under the 1961 Convention as amended or listed in Schedule I or II of the 1971 Convention.

101. Competent national authorities are required under those conventions to issue import authorizations for transactions involving the importation of such substances into their country. The competent national authorities of exporting countries must verify the authenticity of such import authorizations before issuing the export authorizations required to allow shipments containing the substances to leave their countries.

102. The 1971 Convention does not require import and export authorizations for trade in the psychotropic substances listed in its Schedules III and IV. However, in view of the widespread diversion of those substances from licit international trade during the 1970s and 1980s, the Economic and Social Council, in its resolutions 1985/15, 1987/30 and 1993/38, requested Governments to extend the system of import and export authorizations to cover those psychotropic substances as well.

103. Most countries and territories have already introduced an import and export authorization requirement for psychotropic substances listed in Schedules III and IV of the 1971 Convention, in accordance with the above-mentioned Economic and Social Council resolutions. As at 1 November 2021, specific information had been made available to the Board by 206 countries and territories, showing that all major importing and exporting countries and territories now require import and export authorizations for all psychotropic substances listed in Schedules III and IV of the 1971 Convention. Upon request, the Board will make available, to all Governments, a table showing the import authorization requirements for substances listed in Schedules III and IV pursuant to the relevant Economic and Social Council resolutions. That table is also published in the secure area of the Board's website, which is accessible only to specifically authorized government officials, so that the competent national authorities of exporting countries may be informed as soon as possible of changes in import authorization requirements in importing countries.

104. **The Board urges the Governments of the few remaining States in which national legislation and/or regulations do not yet require import and export authorizations for all psychotropic substances, regardless of whether they are States parties to the 1971 Convention, to extend such controls to all substances listed in Schedules III and IV of the 1971 Convention as soon as possible, and to inform the Board in that regard.**

105. I2ES is provided to Governments at no cost to allow countries to securely exchange import and export authorizations for the trade in internationally controlled narcotic drugs and psychotropic substances. Greater use of the

platform by Governments will help prevent the diversion of internationally controlled substances from international trade, in addition to facilitating more rapid movement across international borders. **The Board continues to encourage all Governments that are not yet doing so to utilize I2ES; the Board's secretariat remains ready to help Governments to implement and use the platform.**

106. Article 13 of the 1971 Convention allows a State party to notify the other parties to the Convention that it prohibits the import of a specific substance included in Schedule II, III or IV of the Convention. In addition to being formally notified by the Secretariat of the United Nations when the article has been invoked, parties can find the list of countries that have invoked article 13 in the INCB "Green List", along with the substances for which an import prohibition has been put into place. As at 1 November 2021, Thailand and Turkey had revoked their import prohibitions on methylphenidate under article 13. **The Board calls upon States to ensure that the import prohibitions invoked by States parties pursuant to article 13 of the 1971 Convention are respected. The Board encourages States with import prohibitions under article 13 to ensure that such prohibitions are appropriate with respect to their current needs for controlled substances.**

107. The 1988 Convention does not impose a requirement for import and export authorizations for trade in substances listed in Tables I and II of that Convention. However, Governments that do not apply some system of control over exports and imports of precursors are not fully complying with their treaty obligations to effectively contribute to the prevention of diversion. In addition, pursuant to article 12, paragraph 10 (a), of the 1988 Convention, Governments of exporting countries and territories are to provide advance notification to the authorities of the importing Government of planned shipments with a view to preventing the diversion of those substances (see paras. 111–113 below for more information on pre-export notifications for precursor chemicals).

Discrepancies in international trade in narcotic drugs and psychotropic substances

108. Discrepancies in government reports on international trade in narcotic drugs and psychotropic substances are regularly investigated with the competent authorities of the relevant countries to ensure that no diversion of narcotic drugs and psychotropic substances from licit international trade has taken place. Those investigations may reveal shortcomings in the implementation of control measures for narcotic drugs and psychotropic

substances, including the failure of companies to comply with national drug control provisions.

109. Since May 2021, investigations regarding discrepancies for 2020 related to the trade in narcotic drugs have been initiated with 66 countries. As at 1 November 2021, replies had been received from 45 countries. The responses indicated that the discrepancies had been caused by clerical and technical errors in preparing the reports, reporting on exports or imports of preparations in Schedule III of the 1961 Convention as amended without indicating it on the form, or inadvertent reporting of transit countries as trading partners. In some cases, countries confirmed the quantities reported by them, resulting in the initiation of follow-up investigations with their trading partners. **The Board encourages the countries that have not yet replied to investigate the discrepancies as a matter of urgency and to inform it of their findings.**

110. Similarly, with regard to international trade in psychotropic substances, investigations into 647 discrepancies related to 2020 data were initiated with 115 countries. Owing to delays in the reporting of statistical data for 2020 by some countries, investigations into trade-related discrepancies for that year are still ongoing.

Pre-export notifications for precursor chemicals

111. To prevent the diversion of precursors, article 12, paragraph 10 (a), of the 1988 Convention allows the Governments of importing countries to make it mandatory for exporting countries to inform them of any planned export of precursors to their territory.

112. Since the annual report of the Board for 2020, the Government of one country, Iceland, has officially requested to be pre-notified, thus increasing the number of Governments that have invoked that provision to 116. **The Board renews its call to those Governments that have not formally requested pre-export notifications to take the necessary steps to invoke article 12, paragraph 10 (a), of the 1988 Convention.**

113. Real-time communication between importing and exporting Governments as regards international trade in precursors and preventing diversion into illicit channels is facilitated by the Board's secure Internet-based tool, PEN Online. As at 1 November 2021, the Government of one more country, Gabon, had registered with PEN Online, bringing the total number of registered countries and territories to 166. **INCB calls upon the Governments that have not yet registered with the PEN Online system**

to nominate at least one focal point for that purpose as soon as possible and calls upon Governments to use PEN Online actively and systematically. The Board stands ready to assist Governments in that regard.

Prevention of diversion of precursors from domestic distribution channels

114. The diversion of precursors from domestic distribution channels remains a major source of such chemicals for use in illicit drug manufacture. The control measures applied by Governments to domestic trade in and distribution of chemical substances vary from country to country and often fall short of those used in international trade. To address this, the Board has called for fuller utilization of article 12, paragraph 8, of the 1988 Convention, and has conducted a survey among Governments to that end.

115. A detailed analysis of the domestic controls worldwide can be found in the report of the Board for 2021 on the implementation of article 12 of the 1988 Convention.

Cooperation with industry in relation to precursor control

116. Cooperation with industry is an integral part of the implementation of article 12, paragraph 9 (a), of the 1988 Convention. Such cooperation, which is to a large extent the result of voluntary initiatives and agreements, has come to play an increasingly significant role in global precursor control. It is aimed at ensuring the effective and sustainable prevention of the diversion of precursors, including non-scheduled chemicals and designer precursors used for illicit purposes, through timely cooperation between national authorities and relevant private sectors. **The Board strongly encourages such cooperation and welcomes and promotes successful initiatives taken in this area by several Governments.**

117. The Board, in line with its mandate, also continues to support Governments in their efforts to establish and implement cooperation with industry, on the basis of shared responsibility, mutual respect and goodwill. During the reporting period, the Board invited all Governments to provide it with relevant information on experiences and lessons learned in relation to cooperation with industry in the area of drug precursors and non-scheduled chemicals used in illicit drug manufacture. This information will serve as a basis for a compilation of good practices, specific scenarios and case studies with

the purpose of transferring knowledge and sharing learning among Governments. The compilation will complement the Board's guidance materials related to industry cooperation, which are already available to competent national authorities on its secure website.

118. Apart from the chemical and pharmaceutical industry, another industry sector with which cooperation has proved useful and necessary in terms of precursors is business-to-business Internet platforms. Information regarding listings of precursors, shared on a voluntary basis by the platforms with national regulatory or law enforcement agencies, has resulted in the interdiction of diverted consignments of precursor chemicals and the apprehension of perpetrators of offences in some countries. During the reporting period, the Board conducted a targeted, time-bound operation, Operation Acronym, which was focused on precursor trafficking over the Internet (surface web). In this connection, the Board would like to acknowledge the information provided on a voluntary basis, through competent national authorities, from seven business-to-business platforms from India and the Republic of Korea. Further details about Operation Acronym are available in the report of the Board for 2021 on the implementation of article 12 of the 1988 Convention.

119. Since 2016, the Board has encouraged twinning between Governments that have established cooperation with industry and those that wish to develop or enhance such a concept. Details of those activities are provided in the report of the Board on the implementation of article 12 of the 1988 Convention.

120. The Board wishes to reiterate the importance of cooperation with industry, including the voluntary aspect thereof, and encourages Governments to continue their efforts to establish and implement mechanisms for such cooperation. While the nature, extent and scope of cooperation remains within the purview of individual countries, INCB highlights the importance of cooperation between national regulatory authorities and relevant industry sectors, in particular with a view to addressing the proliferation of non-scheduled chemicals and designer precursors. The Board and its secretariat stand ready to assist Governments in this regard.

Challenges posed by the spread of non-scheduled chemicals and designer precursors

121. INCB continues to advance policy discussions and facilitate consensus-building for global action to address

the proliferation of non-scheduled chemicals and designer precursors. To this end, and in response to the increasing calls for global dialogue and cooperation, several activities were conducted in the reporting period. For example, consultations with Member States were held in November 2020 and October 2021; a statement was given to the Commission on Narcotic Drugs at its sixty-fourth session on challenges to the scheduling systems under the international drug control conventions; a side event was organized during the sixty-fourth session of the Commission; and a technical expert consultation was held in June 2021.

122. INCB has also developed several technical resources for competent national authorities to increase their capacity to identify and act on an ever-increasing range of non-scheduled chemicals.

123. The efforts undertaken during the reporting period built on a series of policy dialogues led or supported by the Board in recent years that resulted in a list of practical and concrete measures and approaches for national action and international cooperation. The Board believes that the list could serve as a basis for attaining consensus among countries on the way forward, including decisions by the Commission on Narcotic Drugs at its sixty-fifth session.

124. INCB encourages Governments to sustain the momentum and increase the level of cooperation with each other and with the Board in order to reach global consensus on measures regarding non-scheduled chemicals and designer precursors. INCB also calls upon Governments to continue exchanging relevant information on suspicious transactions involving non-scheduled chemicals and designer precursors and to contribute to the detection of possible loopholes in national or regional control systems that may be exploited by traffickers.

Article 13 of the 1988 Convention: materials and equipment used in illicit drug manufacture

125. The Board continues to promote the use of article 13 of the 1988 Convention as a valuable complementary tool in addressing illicit drug manufacture and underlines the need for a continued search for new and innovative approaches with a view to improving the implementation of the article.

126. To this end, the Board has conducted several activities to raise awareness and guide international policy efforts and action aimed at preventing the diversion of

equipment essential for illicit drug manufacture, enhancing the operational use of article 13 of the 1988 Convention and encouraging cooperation in that regard. In April 2021, the Board convened a second expert group meeting on enhancing the operational use of article 13 of the 1988 Convention. The experts reviewed progress made through multilateral cooperation to prevent and investigate the diversion of equipment used to illicitly manufacture drugs and precursors and discussed practical tools, approaches and mechanisms that would contribute to building global consensus for action on the basis of that provision of the 1988 Convention. The resulting awareness-raising and guidance document was shared with all Governments, and their feedback was sought to provide input to a follow-up expert group meeting that was convened on 30 November and 1 December 2021.

127. To support Governments in their efforts to increase the use of article 13 of the 1988 Convention and prevent specialized equipment from reaching illicit laboratories, the Board has had the *Guidelines to Prevent and Investigate the Diversion of Materials and Equipment Essential for Illicit Drug Manufacture* translated and made available in all six official languages of the United Nations. All related resources are available on the Board's website.

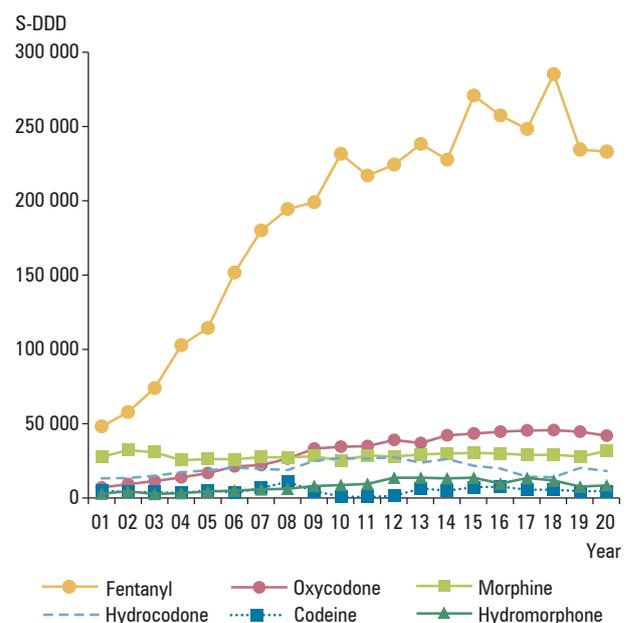
128. The Board calls upon Governments to continue developing new and innovative approaches to improve the practical implementation of article 13 of the 1988 Convention and recommends seeking the secretariat's assistance to make full use of the resources on materials and equipment available on its website.

B. Ensuring the availability of internationally controlled substances for medical and scientific purposes

129. In line with its mandate to ensure the availability of internationally controlled substances for medical and scientific purposes, the Board carries out various activities related to narcotic drugs and psychotropic substances. The Board monitors action taken by Governments, international organizations and other bodies to support the availability and rational use of controlled substances for medical and scientific purposes and provides, through its secretariat, technical support and guidance to Governments in their implementation of the provisions of the international drug control treaties.

130. A comparison of the consumption of individual substances (see figure I) shows the predominance of fentanyl over the past two decades. However, after peaking in 2018 at 285,959 S-DDD, global consumption of fentanyl decreased to 235,074 S-DDD in 2019 and remained relatively stable, with a slight decrease in 2020, to 233,636 S-DDD. The consumption of oxycodone has been increasing, although at a lower level, and, since 2009, has replaced morphine as the second most-consumed opioid (after fentanyl). Like fentanyl, consumption of oxycodone reached an all-time high in 2018 (45,726 S-DDD), decreasing to 44,821 S-DDD in 2019 and falling further, to 42,099 S-DDD, in 2020. The trend in the use of morphine, on the other hand, remained relatively stable between 2004 (25,644 S-DDD) and 2019 (27,957 S-DDD), but in 2020 it increased to 31,824 S-DDD, the highest level of consumption since 2002. After decreasing steadily since 2014, hydrocodone consumption increased from 14,161 S-DDD in 2018 to 20,415 S-DDD in 2019 but decreased to 18,366 in 2020. The consumption of codeine for pain management decreased from 5,720 S-DDD in 2018 to 4,591 S-DDD in 2019 but increased to 4,665 S-DDD in 2020. Hydromorphone consumption decreased from 11,834 S-DDD in 2018 to 7,713 S-DDD in 2019, the lowest level since 2008, but increased to 8,528 S-DDD in 2020. The United States accounted for almost all global hydrocodone use (99.2 per cent), whereas the consumption of the other drugs shown in figure I was reported in more than one country.

Figure I. Consumption of codeine, fentanyl, hydrocodone, hydromorphone, morphine and oxycodone, expressed in total S-DDD,^a 2001–2020



^aTotal consumption of a drug is the sum of the S-DDD of all individual countries reporting consumption.

131. A regional analysis of the main trends in the consumption of the main opioid analgesics (codeine, dextro-propoxyphene, dihydrocodeine, fentanyl, hydrocodone, hydromorphone, ketobemidone, morphine, oxycodone, pethidine, tilidine and trimeperidine), expressed in S-DDD per million inhabitants per day, shows that the highest consumption of these drugs is in developed countries in Europe and North America. Countries reporting the highest average consumption of opioids for pain management in the period 2018–2020 were the United States (26,122 S-DDD), Germany (22,298 S-DDD), Austria (20,323 S-DDD), Israel (17,947 S-DDD) and Belgium (15,422 S-DDD).

132. The regional analysis confirms the persistence of a global disparity in the consumption of opioid analgesics. Regional S-DDD is calculated on the basis of the total population of the countries reporting consumption and the overall amounts of opioid analgesics reported as consumed. In 2020, the reported consumption of some countries in North America, Oceania and Western and Central Europe resulted in regional averages of 19,214 S-DDD for North America, 10,001 S-DDD for Western and Central Europe and 5,984 S-DDD for Oceania, the latter representing a marked decrease, from 9,984 S-DDD, in 2019. Although also reporting a decline, from 26,151 S-DDD in 2019, North America remains the region with the highest

consumption of opioids for pain management in the world. Consumption had declined in Western and Central Europe between 2018 (11,021 S-DDD) and 2019 (9,200 S-DDD), but increased again in 2020 (see figure II).

133. The levels of opioid consumption in North America, Oceania and Western and Central Europe are far higher than in all other regions in the world, as seen in figure II. Figure III provides a closer look at consumption in other regions. A general upward trend in consumption was evident in South-Eastern Europe until 2018, when it reached 1,415 S-DDD, but it decreased to 1,192 S-DDD in 2019 and to 1,188 in 2020. Consumption in South America has been increasing since 2017, when countries reported 537 S-DDD, and reached an all-time high of 919 S-DDD in 2020. In West Asia, a similar trend was observed, also with an all-time high (743 S-DDD) seen in 2020. Eastern Europe reached an all-time high in 2019, with 601 S-DDD, but consumption in 2020 decreased, to 457 S-DDD.

134. The Board considers levels of consumption of opioid analgesics in quantities between 100 and 200 S-DDD to be inadequate, and in quantities of less than 100 S-DDD to be very inadequate. In this context, the average levels of consumption reported in 2020 in East

Figure II. Consumption of opioids for pain management in all regions, S-DDD per million inhabitants per day, 2001–2020

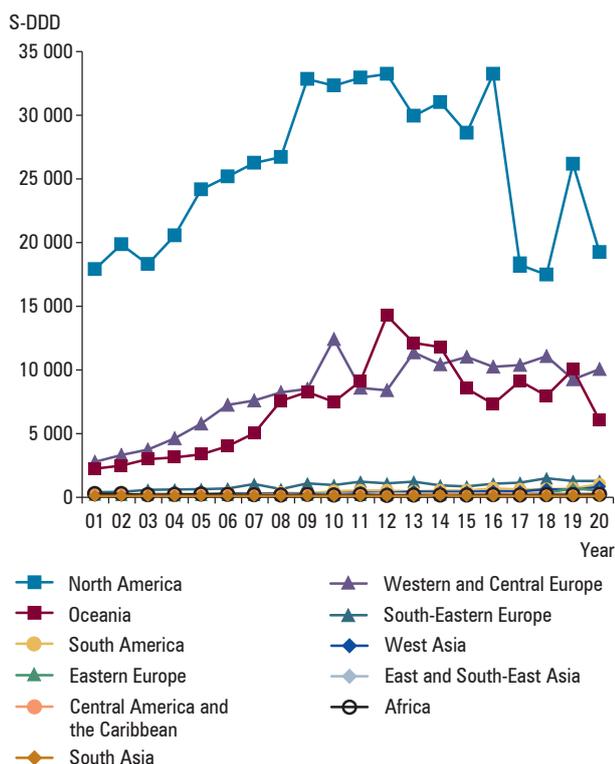
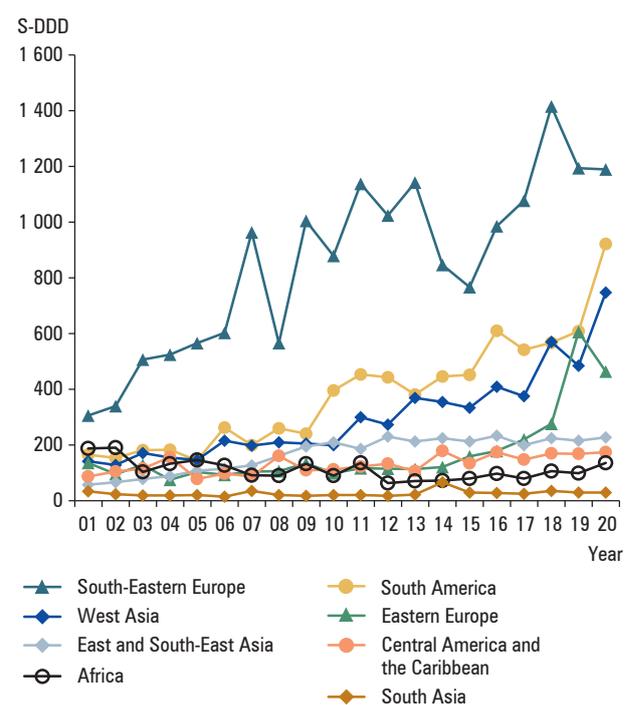


Figure III. Consumption of opioids for pain management in the regions with the lowest consumption, S-DDD per million inhabitants per day, 2001–2020



and South-East Asia (220 S-DDD), Central America and the Caribbean (166 S-DDD), Africa (128 S-DDD) and South Asia (20 S-DDD) are of particular concern.

135. Figures IV and V show consumption of opioid analgesics in total S-DDD by substance and region. This analysis highlights once again the predominance of fentanyl in most regions of the world. Oxycodone consumption is highest in North America, Oceania, Western and Central Europe and West Asia, although it is also consumed in other regions. Hydrocodone consumption is significant in the Americas. The share of morphine is less pronounced in most regions, except for Africa and South America.

136. **The Board reiterates that there is an urgent need to increase levels of consumption and to improve the prescription and use of opioid analgesics for medical purposes in all countries reporting inadequate and very inadequate levels of consumption and calls for targeted public policies with the support of Governments, health systems and health professionals, civil society, the pharmaceutical industry and the international community.**

137. The COVID-19 pandemic threw into sharp relief the need to ensure the availability of and access to medicines containing controlled psychotropic substances. At the global level, the total volume of psychotropic substances traded in 2020 did not change significantly in comparison with 2019. On the other hand, the total

number of countries reporting imports increased by nearly 10 per cent. The extent to which the traded volume corresponds to broader demand for medicines containing psychotropic substances due to the pandemic remains unknown. However, the increase in the number of countries reporting imports during the pandemic in comparison with previous years shows that the systems put in place to facilitate international trade in psychotropic substances continued to function.

138. However, the Board has faced challenges in monitoring and assessing the actual availability of psychotropic substances in many parts of the world owing to inconsistent or non-existent consumption data. Available information indicates that those substances may have been almost completely inaccessible to some populations even before the pandemic started. To date, no comprehensive data are available in this regard, nor are there well-established ways of assessing the appropriate level of use of psychotropic substances to meet demand.

139. A number of substances under international control have proved crucial for the treatment of patients with severe cases of COVID-19. Midazolam, a benzodiazepine included in Schedule IV of the 1971 Convention, is widely used in preoperative sedation. In the context of the pandemic, the substance was reportedly used widely to sedate patients with COVID-19 admitted to intensive care units. Midazolam is also included in the WHO Model List of Essential Medicines.

Figure IV. Consumption of codeine, fentanyl, hydrocodone, morphine, oxycodone and pethidine and other opioids, all regions, S-DDD, 2020

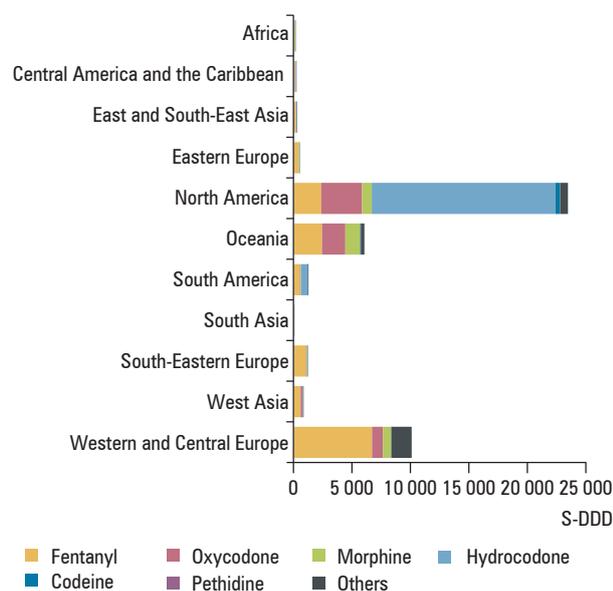
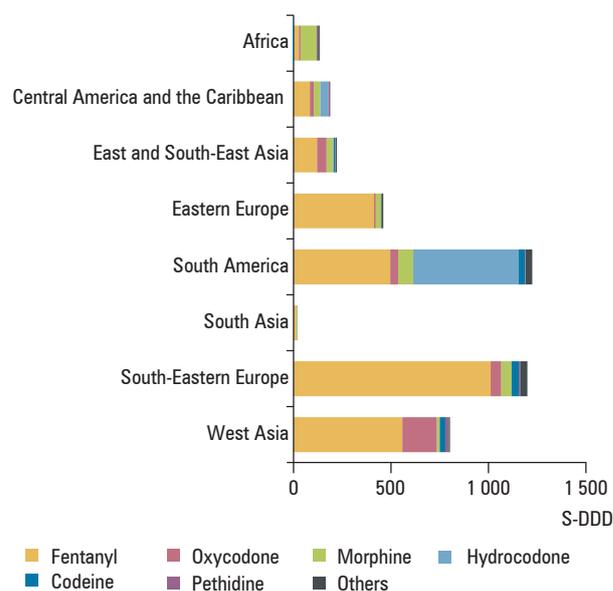


Figure V. Consumption of codeine, fentanyl, hydrocodone, morphine, oxycodone, pethidine and other opioids, selected regions, S-DDD, 2020



140. At the outset of the pandemic, in early 2020, there were reports of shortages of medicines containing midazolam in some parts of the world, in part driven by higher demand for the substance and in part owing to delivery and transport challenges associated with the closure of borders adopted by some countries at that time. As the pandemic progressed, the data provided by Governments indicated that the situation had improved, with countries successfully resuming imports and exports of the substance across the globe.

1. Patterns and trends in the production, manufacture, consumption, utilization and stocks of narcotic drugs and psychotropic substances

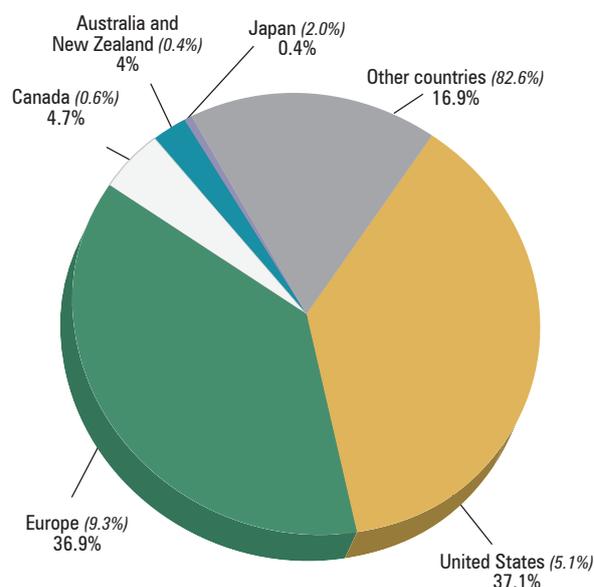
Narcotic drugs

141. Since the beginning of 2020, the COVID-19 pandemic has put to the test the ability of the international community to ensure adequate access to and the availability of internationally controlled drugs for those in need. As reported above, the global supply chain of medicines has been affected as a result of both the disruption in the manufacturing of key starting materials of active pharmaceutical ingredients and of the ingredients themselves in some major manufacturing countries and the logistical challenges arising from border closures and other social-distancing policies adopted by a number of countries. The Board, in its annual report for 2020, alerted the international community to this. The consolidated statistics on narcotic drugs for some countries in 2020 confirm that there has been an increase in the consumption, manufacturing and stocks of some substances (specifically fentanyl and its analogues), largely driven by significant increases in the need to provide pain relief and sedation for patients with COVID-19 admitted to intensive care units.

142. Regional analysis of the overall consumption of opioid analgesics for the treatment of pain confirms the persistence of disparities among regions in the consumption of those drugs. Almost all consumption is concentrated in developed countries in Europe and North America, while the level of consumption in other regions is often insufficient for the medical needs of the population (see figure VI).

143. The regional imbalance is not due to the lack of opiate raw materials. Apart from opium, the production of which has been declining for a number of years, overall utilization of poppy straw and concentrate of poppy straw derived from both the morphine-rich and the

Figure VI. Morphine: distribution of consumption in relation to share of world population, 2020



Note: Percentages in parentheses refer to share of the world population (i.e. total population of all reporting countries).

thebaine-rich varieties remained high in 2020 and stocks increased, indicating that the supply is more than sufficient to satisfy demand, even though the demand expressed by a number of countries might not reflect the actual medical needs of the population.

144. A major problem in many low-income countries is limited access to affordable opioid analgesics such as morphine. In 2020, 239.7 tons of morphine (77.6 per cent of global production) was converted into other narcotic drugs or into substances not covered by the 1961 Convention as amended. Only 35.3 tons (11.4 per cent, up from 9.4 per cent in 2019), the greatest amount registered in the last 20 years, was used for direct consumption, mainly for palliative care. A smaller amount, 8.1 tons (2.6 per cent of global production), was used to manufacture preparations in Schedule III, while the remaining amount was used for other purposes. Of the amount of morphine consumed for the management of pain and suffering (35.3 tons, or 11.4 per cent of the total global production), only 16.9 per cent was available for use by most of the world population (82.6 per cent), mainly those living in low- and middle-income countries. Most of the total direct consumption of morphine (83.1 per cent), excluding preparations in Schedule III, continued to be in a small number of countries, mainly in Europe and North America.

145. Oxycodone is the semi-synthetic opioid that has been most associated with overdose deaths in recent years, in particular in North America. Manufacture of oxycodone has increased, but consumption, after having increased sharply between 2001 and 2013, gradually decreased, falling to 88.1 tons in 2020. Oxycodone consumption was concentrated in North America, Western and Central Europe, Australia and China. Both consumption and manufacture of hydromorphone, another potent opioid, increased, with most of the consumption concentrated in Canada and the United States. Consumption of heroin for medical purposes remained relatively stable, at 658.4 kg in 2020. Switzerland, the Netherlands and Germany, in that order, were the main consumer countries.

146. Among synthetic opioids, fentanyl is, after oxycodone, the other opioid associated with overdose deaths in recent years. After increasing for several years, manufacture of fentanyl peaked in 2010 and has followed a volatile decreasing trend since then, dropping to 2.5 tons in 2020. As with oxycodone, the downward trend may be associated with continued concerns about overdose deaths attributed to the use of fentanyl or fentanyl-type substances. Consumption of the fentanyl analogues alfentanil, remifentanyl and sufentanil, which are used mainly as anaesthetics, increased during the COVID-19 pandemic in some countries for analgesia and the suppression of respiratory activity in mechanically ventilated patients in intensive care and to provide analgesic cover for painful manoeuvres.

147. No manufacture of dextropropoxyphene or ketobemidone was reported in 2020. Diphenoxylate continued to be manufactured in much smaller quantities than before. The manufacture of tilidine decreased further, falling to 27.4 tons in 2020. The manufacture of pethidine and trimeperidine continued to follow a volatile pattern. The manufacture and the consumption of methadone increased to 44.1 tons and 59 tons, respectively.

148. The licit cultivation, production and use of cannabis have been increasing considerably since 2000, when more countries from all regions started to use cannabis and cannabis extracts for medical purposes, as well as for scientific research. The total licit production of cannabis in 2020 was 650.8 tons. Since the licit cultivation of cannabis plant for medical and scientific purposes has increased considerably in recent years and the yield and manufacturing processes are not standardized, some data are being clarified with the relevant Governments in order to ensure consistency.

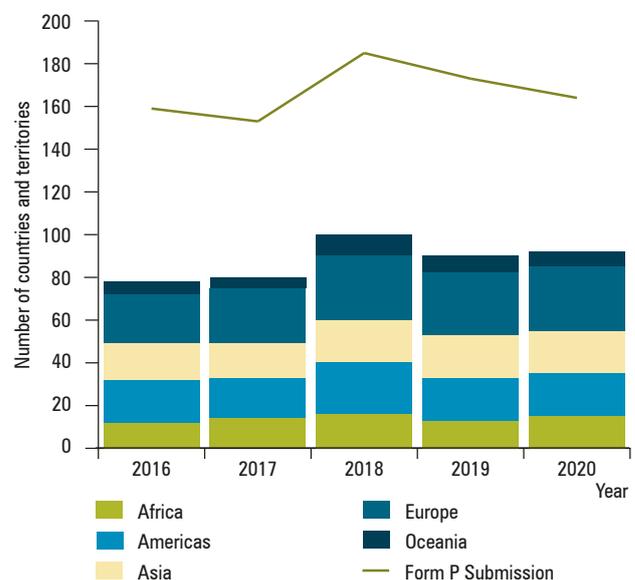
149. Peru is the only country to have exported coca leaf for the global market since 2000. In 2020, its exports amounted to 148.9 tons, all of which were imported by

the United States to be utilized for the extraction of flavouring agents and the manufacture of cocaine as a by-product. The Plurinational State of Bolivia reported the production of 30,954 tons in 2020 for the use allowed in the country, in accordance with the reservation made by that State in 2013, when it reaccessed to the 1961 Convention as amended. In 2020, licit global manufacture of cocaine decreased considerably, to 18.3 kg, while licit consumption remained relatively stable, at 396.4 kg.

Psychotropic substances

150. Between 2016 and 2020, submission rates of form P (annual statistical report on internationally controlled psychotropic substances) from countries and territories fluctuated, from a low of 153 in 2017 to a high of 185 in 2018. In 2021, 166 countries and territories provided an annual statistical report. The number of countries and territories providing consumption data fluctuated along with the number of statistical reports received, with 100 countries and territories providing consumption data for 2018, the most ever for one year. For 2020, 95 countries and territories provided consumption data (see figure VII). Increasing the rate of submission of consumption data from countries and territories will provide the Board with a more comprehensive picture of actual demand for psychotropic substances. This will help inform the Board how to develop methods to assess appropriate levels of use of psychotropic substances for medical and scientific purposes.

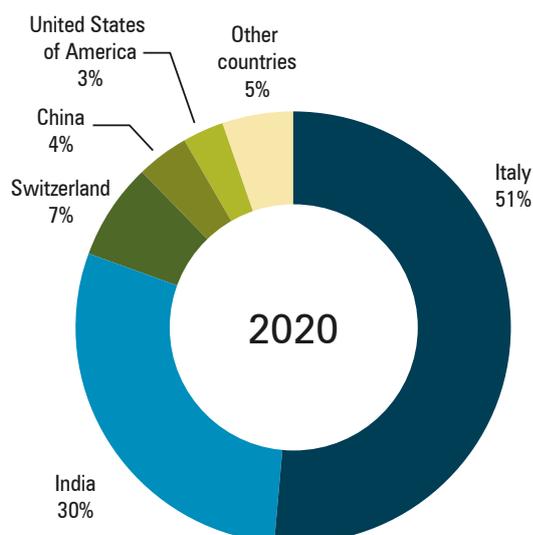
Figure VII. Rate of submission of form P and rate of submission of consumption data by countries and territories, 2016–2020



151. Global manufacture of midazolam increased by over 35 per cent between 2019 and 2020. The substance has traditionally been manufactured by five countries, namely, Brazil, China, India, Israel and Italy. In 2020, India, Israel and Italy all nearly doubled their manufactured volumes of midazolam. Global manufacture reached a record high of over 8.5 tons. In addition, the total volume traded increased from an average of 7.2 tons in the period 2016–2018 to 11 tons per year in 2019 and 2020. Of the countries and territories reporting the import of midazolam in 2020, 35 increased their imports by at least 100 per cent compared with the previous year.

152. In 2020, similar to previous years, benzodiazepines accounted for most of the manufacture of, trade in and consumption of internationally controlled psychotropic substances. Of the 36 internationally controlled benzodiazepines, 21 were identified as having a significant presence on the licit market in 2020. The main manufacturers of this group of substances overall were Italy, India, Switzerland, China and the United States (in descending order of the amount manufactured), together accounting for 95 per cent of the total global manufacture (see figure VIII). In 2020, the most-traded benzodiazepines were diazepam, midazolam, clonazepam, alprazolam and lorazepam, in terms of the number of importing countries. The total reported manufacture of those benzodiazepines amounted to more than 72 tons, with manufacture reported in all regions of the world.

Figure VIII. Benzodiazepines with a significant presence on the licit market: share of global manufacture, by country, 2020



153. For 2020, the Board received data from more than 90 countries reporting consumption of at least one benzodiazepine, which represented a slight increase from the

previous year, for which 87 countries submitted national consumption data. The highest rates of consumption of all benzodiazepines with a significant presence on the licit market combined, measured in S-DDD per 1,000 inhabitants per day, were reported by, in descending order, Spain, Belgium, Portugal, Israel, Montenegro and Hungary. The most heavily consumed benzodiazepines in 2020 were alprazolam, diazepam, lorazepam, oxazepam, clonazepam, bromazepam, lormetazepam and brotizolam, each of which were reported to have been consumed in quantities greater than 40 S-DDD_{pt} globally. In 2020, Bosnia and Herzegovina, Burkina Faso, Jordan, Madagascar, Malta, Mauritania, Palau, the Republic of Korea and the United Arab Emirates provided consumption data for the first time in more than five years.

154. As in previous years, phenobarbital was one of the most manufactured psychotropic substances under international control, at 324 tons in 2020, a decrease of 63 tons compared with 2019 mainly owing to a significant drop in manufacture in Hungary and a slight decrease in China and India. China (174 tons) and India (104 tons) accounted for more than 85 per cent of all global manufacture, a trend largely unchanged from previous years. Other major manufacturers of the substance in 2020 were the Russian Federation (33.1 tons) and Hungary (4.3 tons).

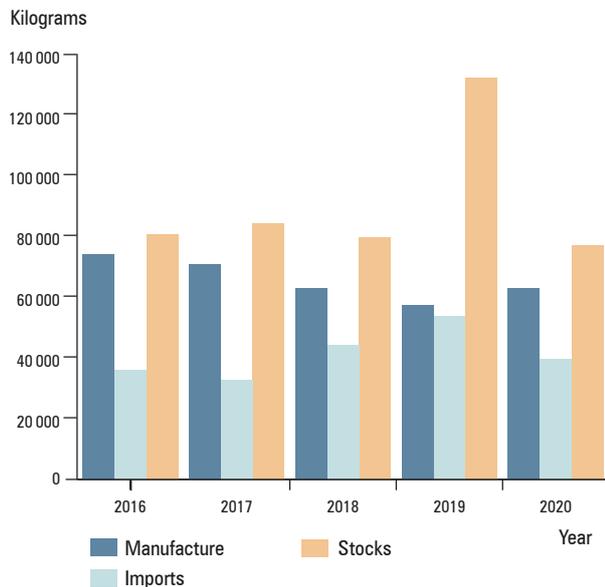
155. For 2020, 83 countries and territories provided data on their consumption of phenobarbital, up slightly from 82 for 2019. Among the countries that provided such data for 2020, average consumption stood at 0.79 S-DDD_{pt}, up from the 2019 average of 0.59 S-DDD_{pt} among countries and territories that reported consumption for that year. The increase in average consumption is a result of the marginally higher consumption reported by many countries for 2020. Burkina Faso, providing data for the first time in several years, reported the highest level of consumption of phenobarbital, at 11.81 S-DDD_{pt}.

156. Global manufacture of methylphenidate rose in 2020 for the first time following the downward trend that began in 2017. Total imports of the substance, however, declined in 2020, to 39 tons. Global stocks of methylphenidate registered a considerable decrease, to 77 tons in 2020, down from 132 tons in 2019 (see figure IX). Similar to previous years, the United States accounted for most of the global stocks in 2020 (68 per cent), followed by Switzerland (13 per cent).

157. A total of 62 countries provided consumption data on methylphenidate for 2020, with rates varying from previous years among the countries with the highest rates of consumption. The countries with the highest rates of reported consumption of methylphenidate in 2020 were,

in descending order of the amounts consumed, Iceland, Israel, Canada, Denmark, Sweden, the United States, the Netherlands, Finland, Switzerland and New Zealand.

Figure IX. Methylphenidate: global manufacture, imports and stocks, 2016–2020



158. A detailed analysis of the patterns and trends in the manufacture, trade, stocks and consumption of psychotropic substances is contained in the technical report of the Board for 2020 on psychotropic substances.³⁷

2. Supply of and demand for opiate raw materials

159. The Board, in fulfilment of the functions assigned to it under the 1961 Convention as amended and the relevant resolutions of the Economic and Social Council and the Commission on Narcotic Drugs, regularly examines issues affecting the supply of and the demand for opiates for licit requirements and endeavours to ensure a standing balance between that supply and demand.

160. The Board analyses the data provided by Governments on opiate raw materials and opiates manufactured from those raw materials to establish the status of the supply of and the demand for opiate raw materials globally. In addition, the Board analyses information on the use of those raw materials, estimated consumption for licit use and stocks at the global level. A detailed analysis of the current situation as it pertains to the supply of and the demand for opiate raw materials is

contained in the technical report of the Board for 2021 on narcotic drugs.³⁸

161. The combined total area cultivated with opium poppy varieties rich in morphine, thebaine, codeine and oripavine decreased by 16 per cent in 2020 compared with 2019, after a trend of growth since 2017. However, it should be noted that the total area cultivated with opium poppy rich in morphine decreased by 30 per cent, the total area cultivated with both opium poppy rich in thebaine and opium poppy rich in codeine doubled, and the total area cultivated with opium poppy rich in oripavine grew almost tenfold. The production of opiate raw materials rich in morphine decreased, while the production of opium raw materials rich in thebaine increased.

Morphine

162. The total actual harvested area of opium poppy rich in morphine decreased from 86,982 ha in 2019 to 59,957 ha in 2020. Compared with 2019, most producing countries saw their total harvested area decrease in 2020, and even halve in the cases of Hungary and Spain. France saw only a minor decrease in the actual area cultivated, whereas Australia and Slovakia were the only two countries that saw their area cultivated with morphine-rich opium poppy increase compared with 2019. India is the only opium-producing country included in the present analysis. Australia and Spain were the only two countries that cultivated opium poppy rich in codeine in 2020. The area harvested with that variety nearly doubled in Australia, from 2,300 ha in 2019 to 4,236 ha in 2020, whereas in Spain it tripled, from 863 ha in 2019 to 2,532 ha in 2020.

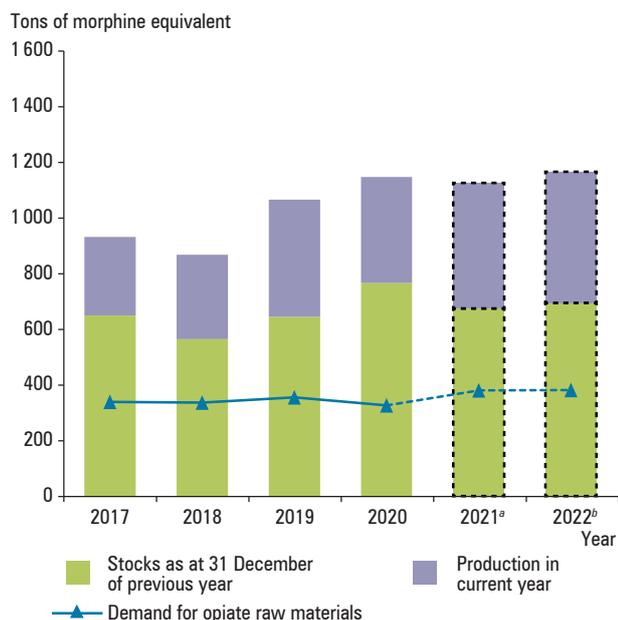
163. Global production of morphine-rich opiate raw materials in the main producing countries decreased significantly, from 421 tons in morphine equivalent in 2019 (see figure X) to 380 tons in 2020. In 2020, Spain remained the leading producer (113 tons), followed by Australia and France (75 tons each), Turkey (69 tons), India (27 tons), Slovakia (15 tons) and Hungary (6 tons). Those six countries accounted for nearly all global production in 2020.

164. At the end of 2020, the global stocks of opiate raw materials rich in morphine, which includes poppy straw, concentrate of poppy straw and opium, amounted to about 767 tons in morphine equivalent, an increase from 645 tons at the end of 2019. Those stocks were considered to be sufficient to cover 24 months of expected global demand by manufacturers (380 tons), on the basis of

³⁷E/INCB/2021/3.

³⁸E/INCB/2021/2.

Figure X. Supply of and demand for opiate raw materials rich in morphine, 2017–2022



^aData on production and demand for 2021 are based on advance data submitted by Governments.

^bData for 2022 are based on estimates submitted by Governments.

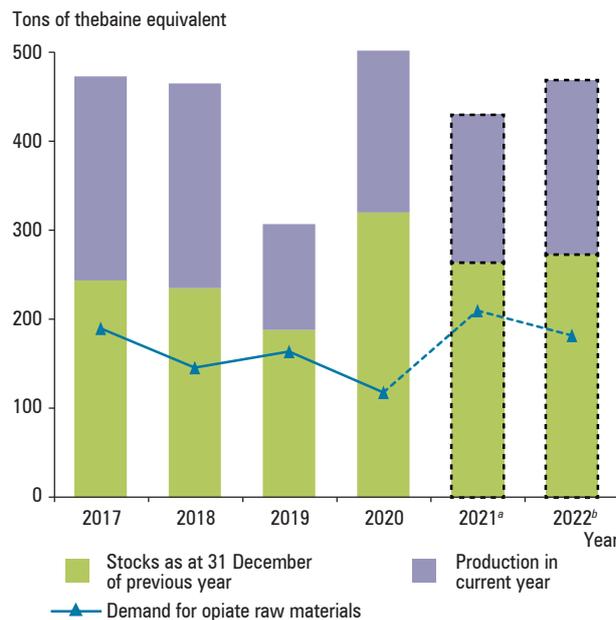
advance data for the level of demand in 2021. In 2020, Turkey continued to be the country with the largest stocks of opiate raw materials rich in morphine, with 252 tons in morphine equivalent, followed by France (135 tons), Spain (114 tons), India (92 tons, all in the form of opium), Australia (90 tons), the United States (28 tons), Japan and the United Kingdom (20 tons each), Slovakia (9 tons) and Hungary (8 tons). Together, those 10 countries accounted for 98 per cent of the global stocks of opiate raw materials rich in morphine. The remaining stocks were held in other producing countries and in countries importing opiate raw materials.

165. At the end of 2020, global stocks of opiates of morphine-based opiate raw materials, mainly in the form of codeine and morphine, amounted to 523 tons in morphine equivalent and were sufficient to cover global demand for those opiates for about 16 months at the 2021 level of demand (404 tons).

166. On the basis of data reported by Governments, total stocks of opiates and opiate raw materials are fully sufficient to cover demand for medical and scientific purposes for morphine-based opiates for more than a year.

167. Between 2009 and 2016, global production of opiate raw materials rich in morphine exceeded global demand. As a result, stocks increased during that period,

Figure XI. Supply of and demand for opiate raw materials rich in thebaine, 2017–2022



^aData on production and demand for 2021 are based on advance data submitted by Governments.

^bData for 2022 are based on estimates submitted by Governments.

with some fluctuations. In 2017 and 2018, global production was lower than global demand, which led to a decline in global stocks. However, in 2019, production was again higher than demand and, consequently, stocks increased. In 2020, both global production and global demand decreased, but stocks grew significantly, to about 767 tons in morphine equivalent.

Thebaine

168. In 2020, the area sown with opium poppy rich in thebaine in major producing countries doubled compared with 2019, from 3,562 ha in 2019 to 7,148 ha in 2020, a development that was expected, as noted in the report of the Board for 2020 on narcotic drugs. The actual harvested area nearly doubled in France, from 55 ha in 2019 to 92 ha in 2020, while in Spain it went from zero in 2019 to 2,695 ha in 2020. Hungary reported cultivation of 2 ha of this variety of opium poppy in 2020 after a few years of no cultivation, while Australia saw a small increase, from 3,400 ha in 2019 to 3,817 ha in 2020.

169. In 2020, the global production of opiate raw materials rich in thebaine amounted to 182 tons in thebaine equivalent, a 54 per cent increase compared with the 119 tons produced in 2019 (see figure XI). Australia was the leading global producer of those opiate raw materials

(115 tons), followed by Spain (59 tons), France (5 tons) and India (3 tons, with thebaine being extracted from opium).

170. Stocks of opiate raw materials rich in thebaine (poppy straw, concentrate of poppy straw and opium) increased from 188 tons in thebaine equivalent at the end of 2019 to 320 tons at the end of 2020. Those stocks were considered to be sufficient to cover the expected demand by manufacturers worldwide for about 18 months at the 2021 level of demand (210 tons).

171. Global stocks of thebaine-based opiates (oxycodone, thebaine and a small quantity of oxymorphone) decreased from 241 tons in thebaine equivalent at the end of 2019 to 194 tons in 2020. Those stocks were sufficient to cover global demand for thebaine-based opiates for medical and scientific purposes for about 18 months at the 2021 levels of demand (130 tons).

172. Global production of opiate raw materials rich in thebaine grew by over 50 per cent, from 119 tons in 2019 to 182 tons, whereas demand decreased, from 164 tons in 2019 to 118 tons in 2020. This led to an increase in the quantity of stock (320 tons in 2020, compared with 188 tons in 2019).

173. On the basis of data reported by Governments, total stocks of opiates and opiate raw materials are fully sufficient to cover demand for medical and scientific purposes for thebaine-based opiates for more than a year.

174. **Despite the fact that the supply of both morphine-rich and thebaine-rich opiate raw material is calculated to be sufficient to cover the demand for medical and scientific purposes as expressed by countries, the Board highlights that there are notable disparities in the availability of narcotic drugs between countries due to the fact that many countries do not accurately estimate their medical need for opioid analgesics. Consequently, and in line with the provisions and objectives of the 1961 Convention as amended, the Board emphasizes the importance of ensuring sufficient availability at the global level and calls upon countries with greater availability of and access to opiate raw materials and opiates to assist countries with limited access and availability in their efforts to increase access to and availability of such substances and raw materials.**

Noscapine

175. Even though noscapine is not under international control, a significant amount of morphine can be extracted

from opium poppy rich in noscapine. **For the purposes of monitoring and controlling the production of morphine, the Board requests the countries that cultivate opium poppy rich in noscapine to provide information in a consistent and regular manner about that cultivation and the intended use of and any extraction and use of the morphine alkaloid from this variety.**

176. Cultivation of noscapine-rich opium poppy for the purpose of opiate production was reported by France in 2020. France sowed 2,290 ha and harvested 1,790 ha of noscapine-rich opium poppy in 2020 and produced noscapine-rich poppy straw with a gross weight of 826 tons. France reported no extraction of the morphine alkaloid from the noscapine-rich variety of opium poppy that it cultivated.

C. Overall treaty compliance

1. Evaluation of overall treaty compliance

177. In order to ensure the implementation of their legal obligations, States parties to the three international drug control conventions commit to the adoption of a series of legislative and policy measures.

178. These include the monitoring of the licit production and manufacture of and trade in narcotic drugs, psychotropic substances and precursor chemicals and measures related to the permitted uses for controlled substances; the development of a legal framework to combat the trafficking in and diversion of drugs, and related conduct; and the provision of measures for the prevention of illicit drug use and for the early identification, treatment, education, aftercare and social reintegration of persons with drug use and dependence issues.

179. As the monitoring body established under the three drug control conventions, INCB reviews developments in States parties with the aim of supporting them to implement the conventions by assisting in identifying implementation gaps and proposing remedial action.

180. The Board's deliberations are informed by its ongoing interactions with States parties, including the submission of statistical reports by Governments to the Board, the exchange of official correspondence and meetings between government representatives and the Board, the undertaking of country missions by the Board and the participation of Governments in INCB initiatives.

181. For the period under review, the Board reviewed the drug control situation in Guinea-Bissau, Kenya, Lebanon, Mexico, Myanmar, the Philippines, Singapore, Sri Lanka and the United States.

(a) Guinea-Bissau

182. The Board takes note of the closure, on 31 December 2020, of the United Nations Integrated Peacebuilding Office in Guinea-Bissau, in line with Security Council resolution 2512 (2020). During the reporting period, that Office was involved in strategic coordination to enhance the capacity of law enforcement and justice institutions to combat drug trafficking and organized crime. It also provided support to operationalize a case management database and to populate it with information to track and help analyse drug trafficking and organized criminal cases.

183. UNODC has been providing technical assistance to law enforcement and judicial authorities in Guinea-Bissau for the investigation, prosecution and adjudication of drug trafficking cases. Moreover, Guinea-Bissau developed, with UNODC support, a new national strategic action plan on combating drug trafficking, organized crime and security threats. On 10 August 2020, at the 8754th meeting of the Security Council, the Executive Director of UNODC raised concerns in a briefing to the Council about the resurgence of drug trafficking and the re-emerging influence of criminal operators in the country (see S/PV.8754).

184. In the light of those developments, the Board has sought dialogue with the Government of Guinea-Bissau on drug control matters. The Board supports regional and international cooperation efforts to advance the Government's national strategic action plan.

185. The Board will continue to closely monitor future drug control developments in Guinea-Bissau. INCB stands ready to support the country through operational and learning activities and can help the Government utilize INCB platforms and projects to facilitate the exchange of information for the full and effective implementation of the drug control conventions.

(b) Kenya

186. The Board takes note of the adoption, in May 2021, of the Narcotics, Drugs and Psychotropics Substances (Control) (Amendment) Bill 2020 by the National Assembly of Kenya. The Board understands that the

purpose of the new legislation is to update the Narcotic Drugs and Psychotropic Substances (Control) Act of 1994, in particular with respect to the penalties applied for offences of possession of and trafficking in narcotic drugs and psychotropic substances.

187. The amendment bill specifically addresses threshold amounts for charges related to possession of controlled substances and stipulates penalties on the basis of the weight of the substances. As part of these changes to the country's drug control law, the amendment bill provides for court-appointed treatment programmes and rehabilitation in instances where a person possesses less than 1 gram of a narcotic drug or psychotropic substance, except cannabis. The amendment bill further defines, for the first time, offences relating to precursors and chemical substances that may be used in the illicit manufacture of narcotics.

188. The Board commends the implementation of education, treatment, rehabilitation and aftercare measures in addition to, or as alternatives to, punishment for drug offences of a minor nature and offences committed by persons who use drugs, in line with the provisions of article 36, paragraph 1 (b), of the 1961 Convention as amended, article 22, paragraph 1 (b), of the 1971 Convention and article 3, paragraph 4 (a)–(d), of the 1988 Convention.

189. The Board will continue to monitor changes to the drug control policies of Kenya, including any updates to the country's legal framework with respect to the proportionality of sanctions applicable to drug-related behaviours. The Board looks forward to continued cooperation and dialogue with Kenya on the country's institutional and legislative framework on drug control.

(c) Lebanon

190. In August 2020, in response to the devastating explosion in Beirut, the Board issued a press release in which it called upon Governments to facilitate the supply of internationally controlled substances that were urgently needed for the medical treatment of those affected and drew the attention of the international community to the possibility of using simplified control procedures for the export, transportation and provision of medicinal products containing controlled substances. The Board remains concerned about continued reports of shortages of medicines, including internationally controlled substances, in Lebanon.

191. Political instability and limited institutional capacity have continued to be exploited by trafficking

networks in Lebanon and the neighbouring Syrian Arab Republic, which have been reported as major source countries for “captagon” and amphetamine by countries in the Middle East, North Africa and, more recently, Europe. Lebanon also continues to report seizures of large quantities of amphetamine tablets.

192. The Board has continued to monitor developments in Lebanon with respect to the country’s legal framework related to cannabis since the adoption of legislation by the Parliament of Lebanon in April 2020 allowing the cultivation of cannabis for medical and industrial purposes.

193. The stated objectives of the law include empowering the State to monitor, regulate and control cannabis cultivation and its derivatives containing psychoactive substances and allowing legal access to the drug for exclusively medical and industrial purposes; promoting sustainable development in areas affected by the illegal and clandestine cultivation of cannabis plant and furthering public interest through development activities and programmes in these areas; educating and raising the awareness of the public of the health dangers linked to the illegal use of cannabis, taking into account WHO guidelines; protecting public health and safety by imposing strict requirements for the cultivation, storage, packaging and transportation of cannabis; and decreasing the burden on the criminal justice system by limiting organized criminal activities linked to trafficking in cannabis and increasing criminal penalties for violations of the legislation.

194. The law establishes the Medical and Industrial Cannabis Cultivation Regulatory Authority, which oversees the implementation of the law and issues licences for every stage of cannabis production and distribution, including the import of seeds and seedlings, planting and harvesting, production and export. Licences are to be awarded to selected Lebanese and foreign pharmaceutical companies, as well as individuals, such as farmers and landowners who meet the licensing requirements and have no criminal record, laboratories and research centres that are deemed qualified. The law does not specify the regulatory process by which cannabis will be made available to the public for use for medical purposes in Lebanon.

195. In its communications with the Government of Lebanon, the Board has emphasized that, while the 1961 Convention as amended allows for the establishment of programmes for the use of cannabis for medical purposes, it also subjects the operation of such programmes to the legal requirements set forth in its articles 23 and 28, in

addition to the obligation to submit the estimates and statistical and trade data applicable to all controlled substances.

196. The Board values its positive cooperation with the Government of Lebanon and looks forward to continuing its engagement with the country.

(d) Mexico

197. The Board has continued to monitor legal developments in Mexico pertaining to the regulations for the use and possession of cannabis for both medical and non-medical purposes. The Board appreciates the ongoing dialogue and exchange of information with Mexico about changes to its drug policies and laws. The Board has specifically taken note of the approval by the Supreme Court on 28 June 2021 of the general declaration of unconstitutionality with regard to the regulation of the use of cannabis by adults for non-medical purposes. That decision followed a ruling by the Supreme Court in 2018 that required that personal cannabis use for non-medical purposes be made legal in the country.

198. The Board understands that the Supreme Court’s 2021 decision was aimed at removing those provisions of the country’s General Act on Health that prohibited cannabis use for non-medical purposes, on the basis that prohibition of cannabis use would restrict the right of consumers to freedom of personal development. The constitutional principle of the right to free development of the personality is the basis for authorizing activities related to personal cannabis and THC use, including sowing, cultivation, harvesting, preparation, possession and transportation.

199. The Supreme Court of Mexico has established, with this ruling, that the Ministry of Health may issue permits to adults for the use of cannabis and THC, but not for other substances. The Federal Commission for Protection against Health Risks is to establish guidelines and modalities for the acquisition of cannabis seeds, although these will not include permission to import, trade in or supply the substances or any other act relating to their disposal or distribution. The personal use of cannabis for non-medical purposes must not affect third parties; therefore, the substances should not be consumed in the presence of minors or in public places where there are persons who have not given their consent to the act. The Supreme Court urged the Congress to establish legislation on the personal use of cannabis and THC for non-medical purposes in order to create legal certainty for those consuming the substances.

200. With respect to the regulation of the use of cannabis for medical purposes, the Board takes note of the publication, on 12 January 2021, of the regulations implementing the General Act on Health in respect of public health control measures applicable to the production of, research into and the use for medical purposes of cannabis and its pharmacological derivatives. The objective of the regulations is to control, develop and monitor, from a public health perspective, cannabis raw materials, pharmacological derivatives of cannabis and medicines containing cannabis. The regulations apply to research, production, manufacture, import and export, health-care facilities supplying cannabis medicines, and advertising and marketing.

201. The Board will continue to monitor the changing landscape of cannabis regulation in Mexico and looks forward to continuing the close dialogue with the Government of Mexico on matters relating to drug control policy.

(e) Myanmar

202. In June 2016, the Board undertook a mission to Myanmar. Since then, the Board has continued to monitor drug policy developments and the overall conduct of drug control activities in the country, including in areas such as opium poppy cultivation and methamphetamine use and trafficking, which continue to increase. Recent developments in drug control policy include the launch, on 13 January 2021, of the National Strategic Framework on Health and Drugs and regional cooperation on alternative development and crop substitution programmes.

203. The Board notes that, in its resolution 75/287, on the situation in Myanmar, the General Assembly expressed grave concern about the declaration of the state of emergency by the Myanmar armed forces on 1 February 2021 and subsequent actions taken against the elected civilian Government. The Assembly, *inter alia*, called upon the armed forces to immediately stop all violence against peaceful demonstrators and called for safe and unimpeded humanitarian access to all people in need and respect for the safety of medical facilities and staff.

204. The Board has taken note of the recent calls from the Secretary-General that the military in Myanmar should respect the will of the people, refrain from acts of violence and repression and act in the interests of peace, sustainable development and human rights. The deepening humanitarian crisis in the country has grave consequences for access to health care and the provision of medicines containing controlled narcotic drugs and

psychotropic substances. In this context, the Board reminds all Governments that, in acute emergencies, it is possible to utilize simplified control procedures for the export, transportation and provision of medicinal products containing controlled substances, as provided for in the Model Guidelines for the International Provision of Controlled Medicines for Emergency Medical Care, developed by WHO in cooperation with the Board and available on the INCB website.

205. The Board will continue to closely monitor the crisis in Myanmar, in particular for any impacts on public health and welfare and the effective implementation of drug control policies. It will also follow developments with respect to measures to address illicit opium poppy cultivation, given the country's status as a major source of opium.

(f) Philippines

206. The Board continued to monitor drug-related developments in the Philippines during the reporting period. Following consultations with the Government, held online during the 129th session of the Board, in November 2020, the Board issued a press release providing information on the overall content of the consultations, noting that it remained in dialogue with the Government on the issue of the alleged extrajudicial targeting of persons suspected of drug-related activity and had been working to secure a mission to the country to review implementation of the three international drug control conventions on the ground as soon as practicable.

207. The Board welcomes the development of the United Nations joint programme on human rights in the Philippines as an important step towards strengthening accountability and curbing human rights violations. It underscores the importance of technical assistance and capacity-building for meaningful improvement to the human rights situation in the country.

208. On 24 February 2021, the Secretary of Justice of the Philippines delivered a statement to the Human Rights Council at its forty-sixth session, in which he stated that his Government welcomed the constructive approach taken by the Council in its resolution 45/33, adopted in October 2020, and that, since the adoption of that resolution, the Government had engaged actively and openly with the United Nations to support the development of the United Nations joint programme on human rights in the Philippines. The Board welcomes the series of consultations held between United Nations agencies and the Government, as well as civil society, which

resulted in the endorsement of key directions for the programme. The Board also welcomes the recent efforts by the Department of Justice of the Philippines to examine the records of certain key areas and cities where most of the deaths linked to police operations had occurred, which revealed certain shortcomings in the work of law enforcement agents. The Board further welcomes that internal investigations into those incidents were conducted, resulting in recommendations for administrative and criminal action towards those responsible.

209. At the same time, senior government officials continue to advocate action against those suspected of drug trafficking and continue to publicly discourage cooperation with human rights organizations. During the reporting period, the Government continued to authorize police operations against those suspected of drug trafficking and use, resulting in the deaths of many individuals.

210. On 14 June 2021, the Prosecutor of the International Criminal Court at the time, Fatou Bensouda, announced the completion of the preliminary examination of the situation in Philippines, having concluded that there was a reasonable basis to believe that the crimes against humanity of murder, torture and the infliction of serious physical injury and mental harm, as well as other inhumane acts, had been committed on the territory of the Philippines between at least 1 July 2016 and 16 March 2019, in connection with the “war on drugs” campaign launched throughout the country. Consequently, the Prosecutor requested judicial authorization to proceed with an investigation. That authorization was granted by Pre-Trial Chamber I of the Court on 15 September 2021.

211. The Board reiterates its position that extrajudicial responses to drug-related activities are in clear violation of the international drug control conventions, which require that States address drug-related behaviours through formal criminal justice responses based on full adherence to internationally recognized human rights standards. In this regard, the Board renews its call to the Government of the Philippines to take immediate steps to stop and prevent any further extrajudicial targeting and to accelerate the ongoing investigations, which could be done through, among other things, the establishment of an independent and impartial review mechanism for any such cases, improvement of data collection and analysis and further strengthening cooperation with the international community, including United Nations human rights institutions, to enable effective monitoring and capacity-building in the areas of human rights and the rule of law.

212. The Board notes that, in December 2020, several senators in the Philippines called for the reestablishment

of capital punishment. On 2 March 2021, the National Economic and Development Authority of the Philippines released the complete list of priority measures that the Government wanted to be enacted in 2021. According to the list, one of the bills planned for passage includes the reinstatement of the death penalty by lethal injection for drug-related crimes as specified under the Comprehensive Dangerous Drugs Act of 2002. In this regard, the Board wishes to reiterate its position that, although the determination of sanctions applicable to drug-related crime remains the prerogative of States parties to the conventions, the Board encourages States that have abolished capital punishment for drug-related offences not to reintroduce it and encourages those States that retain capital punishment for that category of offence to commute death sentences that have already been handed down and to consider the abolition of the death penalty for drug-related offences.

(g) Singapore

213. During the reporting period, the Board has continued its constructive dialogue on all aspects of the implementation by Singapore of the drug control conventions, including the country’s policies on addressing drug-related criminality.

214. The Board has noted that Singapore has a “drug-free vision” for its communities that is based on a strategy of “harm prevention” through preventive drug education, robust law enforcement and evidence-based treatment, rehabilitation and aftercare. The Board commends Singapore for the effective implementation of and investment in education, treatment, rehabilitation and aftercare measures in addition to, or as alternatives to, punishment for drug offences of a minor nature and offences committed by persons who use drugs, in line with the provisions of article 36, paragraph 1 (b), of the 1961 Convention as amended, article 22, paragraph 1 (b), of the 1971 Convention and article 3, paragraph 4 (a)–(d), of the 1988 Convention.

215. The approach of Singapore to drug control is anchored in protecting communities from the threats of drug use and trafficking. The approach to capital punishment is further characterized as a tool of deterrence to everyone in the drug supply chain, especially those engaged in trafficking and those in possession of drugs above threshold amounts. The Board has engaged in dialogue with Singapore on the use of the death penalty and it has taken note of public reports indicating that executions continue to take place in Singapore in response to drug offences.

216. The Board's position on capital punishment for drug offences is governed by the principle in the international drug control conventions that the determination of sanctions applicable to drug-related behaviour falls within the sovereign prerogative of each State party. However, the Board also seeks to strike a balanced approach that recognizes the wider policy and human rights implications of drug control. As such, the Board reiterates its human rights-based position and calls for the abolition of the death penalty for drug-related offences, reflecting the growing consensus within the international community with regard to the abolition of capital punishment for drug-related behaviours.

217. The Board appreciates the ongoing dialogue with Singapore and will continue to monitor, within its mandate, the country's drug control policies.

(h) Sri Lanka

218. The Board has continued to monitor the drug control policies and criminal justice approaches of Sri Lanka, including public reports that the country plans to resume the use of the death penalty for drug-related offences, following a 43-year moratorium. While there are reports of death sentences being issued, the Board understands that the punishment has not been implemented in practice. The Board is concerned about emerging public reports of extrajudicial acts of retribution against persons suspected of drug-related conduct, legal changes resulting in a reversal of the presumption of innocence for some drug-related offences and the non-eligibility for legal aid of persons facing drug-related charges.

219. Since 2019, when there were indications that Sri Lanka was planning to implement a policy change on executions for drug-related offences, the Board has sought to engage the country in a dialogue to seek clarifications on those matters and to encourage the Government to commute death sentences that have been handed down. The Board regrets that, at the time of writing, there has been no progress in securing a dialogue with the Government of Sri Lanka on the drug control situation in the country and wishes to reiterate the INCB position on the death penalty for drug-related offences. While the determination of applicable criminal sanctions falls within the sovereign prerogative of each State party, the Board's human rights-based position includes a call to States to consider the abolition of the death penalty for drug-related offences and to commute those sentences already handed down.

220. The Board will continue monitoring drug control developments in Sri Lanka and pursuing a dialogue to

support the full and effective implementation of the drug control conventions. It trusts that Sri Lanka will improve its cooperation and respond to those efforts of the Board, in line with article 9 of the 1961 Convention as amended, which sets out the Board's responsibility to engage in dialogue with States parties in order to promote cooperation.

(i) United States of America

221. The Board takes note of developments pertaining to drug control in the United States since November 2020, including measures adopted in response to the worsening overdose epidemic that, according to the country's Centers for Disease Control and Prevention, resulted in nearly 841,000 deaths in the United States between 1999 and 2019, and 100,000 deaths during the first 12 months of the COVID-19 pandemic alone.

222. The Board has examined new regulations on the use of cannabis for both medical and non-medical purposes in multiple states. While there have been no substantive changes to the drug control responsibilities of federal agencies and cannabis remains controlled under Schedule I of the Controlled Substances Act, an increasing number of acts passed at the state level are in violation of federal law owing to their legalization of the personal use and commercial sale of cannabis.

223. During the reporting period, Connecticut, Montana, New Jersey, New Mexico, New York and Virginia all signed cannabis regulations into state law, in order to allow the use and possession of cannabis by adults for non-medical purposes. The Board recognizes the discretion exercised by federal prosecutors with regard to cannabis offences within states as consistent with the requirements of article 36, paragraph 4, of the 1961 Convention as amended and has taken note of the prosecutions by federal authorities of cannabis-related cases, including in states where cannabis is available for sale for use for non-medical purposes, contrary to the Controlled Substances Act.

224. The Board reiterates that measures to permit the use of cannabis for non-medical purposes are inconsistent with article 4, paragraph (c), of the 1961 Convention as amended, which requires States parties to take such legislative and administrative measures as may be necessary, subject to the provisions of that Convention, to limit the use of narcotic drugs exclusively to medical and scientific purposes. Article 3, paragraph 1 (a) (i), of the 1988 Convention requires the criminalization of the production, manufacture, extraction, preparation, offering, offering for sale, distribution, sale,

delivery on any terms whatsoever, brokerage, dispatch, dispatch in transit, transport, importation or exportation of any narcotic drug or any psychotropic substance contrary to the provisions of the 1961 Convention as amended or the 1971 Convention. Article 3, paragraph 1 (a) (ii), of the 1988 Convention requires the criminalization of the cultivation of cannabis plant for the purpose of the production of narcotic drugs contrary to the provisions of the 1961 Convention as amended.

225. The Board notes that a significant proportion of people in the United States now live in jurisdictions where the use and possession of cannabis for non-medical purposes has been legalized under state law. Moreover, the results of the 2019 National Survey on Drug Use and Health of people aged 12 and older show that past-year initiates to cannabis use increased by 13.6 per cent. In view of this increase, the Board reiterates its call to the United States to continue to take measures aimed at informing its population of the harms associated with drug use and to address the declining perceptions of harm with respect to the use of cannabis. The Board also takes this opportunity to reiterate, in the context of state-level violations of the Controlled Substances Act, the importance of full compliance with the obligations as set out in article 4 of the 1961 Convention as amended.

226. The Board notes that certain data would be particularly useful for analysing the legal and policy framework in the United States concerning the control of cannabis, including data related to intoxications and emergency room visits. While data exist on drug seizures that demonstrate that the United States is a major destination for various types of drugs trafficked from other countries, information about inter-state cannabis trafficking, for example, is sparse. More data collection on cannabis trafficking within the United States between jurisdictions with different levels of control over cannabis could help provide a more complete picture.

227. In pursuit of its mandate to monitor treaty compliance, the Board appreciates its ongoing and productive dialogue with the United States and looks forward to continuing that dialogue with the country's authorities in the coming year, including through a mission to the country as soon as circumstances permit.

2. Country missions

228. In keeping with the Board's commitment to dialogue with the States parties to the international drug control conventions, the Board normally conducts several country missions per year.

229. The purpose of country missions is to allow the Board to gain a deeper understanding of the specific realities of drug control in each country visited through dialogue with government officials, regulatory agencies, medical and treatment personnel and civil society groups. In this manner, country missions offer the Board insight into the situation on the ground and allow it to make a more accurate appraisal of the drug control situation in the country visited, to identify good practices, challenges and gaps in implementation and to issue recommendations to the Government on how best to address such challenges and gaps.

230. In order to ensure that the Board's missions benefit from an open and frank dialogue that accurately portrays each country's specific circumstances, the content of the discussions held remains confidential, as do the recommendations conveyed to each Government.

231. For the second consecutive year, the Board has suspended its country missions owing to the global public health situation brought about by the COVID-19 pandemic. Accordingly, during the period under review, no country missions were undertaken. The Board looks forward to resuming the conduct of this essential part of its work at the earliest opportunity.

3. Evaluation of the implementation by Governments of recommendations made by the Board following its country missions

232. Every year, the Board reviews developments in countries that received a Board mission two years prior. In order to do so, the Board requests the Governments in question to apprise it of relevant developments since the missions took place, including any legislative or policy actions taken to implement the Board's post-mission recommendations.

233. In 2020, the Board invited the Governments of Armenia, Botswana, Estonia, France, Germany, Jamaica, Luxembourg, Mauritius, Mongolia, Nepal, the Netherlands, Paraguay, Qatar, Tunisia, the United Arab Emirates and the United Kingdom, countries to which missions had been conducted in 2018, to report on any drug policy-related developments that had resulted from the Board's recommendations.

234. The Board wishes to express its appreciation to the Governments of Armenia, France, Germany, Luxembourg, Mauritius, the Netherlands, Paraguay, Tunisia, the United

Arab Emirates and the United Kingdom for submitting responses and renews its call to the Governments of Botswana, Estonia, Jamaica, Mongolia, Nepal and Qatar to provide the information requested at the earliest opportunity.

(a) Armenia

235. In June 2018, the Board undertook a mission to Armenia to review the drug control situation in the country and to discuss the Government's experience in the implementation of the international drug control treaties. Since the mission, several of the Board's recommendations have been implemented by the Government.

236. The Board acknowledges the establishment of an inter-agency commission aimed at improving coordination among various national agencies in the field of supply reduction and law enforcement. The Board notes that the commission is composed of representatives from relevant stakeholders and is headed by the Chief of Police of Armenia.

237. Since the mission, Armenia has also launched several drug use prevention initiatives, increased the availability of treatment services, including opioid substitution treatment, and added about 50 NPS to the country's list of controlled substances.

238. While welcoming the progress made in the implementation of the Board's recommendations, the Board encourages the Government of Armenia to take additional measures to ensure the availability of controlled narcotic drugs and psychotropic substances in order to meet medical needs.

239. The Board also encourages the Government of Armenia to develop measures to evaluate the extent and scope of drug use in Armenia in order to inform the development of evidence-based drug policies, to continue to bolster its drug prevention and treatment capacity and to consider further measures to address the stigma associated with drug use and dependence, in particular with respect to the mandatory registration of persons entering treatment.

240. The Board acknowledges the effective cooperation of the Government of Armenia in fulfilling the country's obligations under the international drug control treaties and notes that it will continue to work closely with the authorities to facilitate the implementation of its recommendations.

(b) France

241. In June 2018, the Board conducted a mission to France to discuss the country's implementation of its legal obligations under the three drug control conventions, in particular in the light of developments that had occurred since the previous INCB mission to the country, in 1999.

242. The Board notes with appreciation the strong commitment of France to the international drug control legal framework, which is evidenced by the country's participation in and support of INCB activities.

243. The Board acknowledges the adoption of the French National Strategy on Addictive Behaviours for the period 2018–2022, which encompasses a series of behaviours that may lead to addiction, beyond those related strictly to substance use. The Strategy's six priority areas are: (a) protecting persons from addictive behaviours, starting at the earliest possible age; (b) better responding to the consequences of addiction for individuals; (c) improving responses to trafficking; (d) raising awareness and spreading knowledge; (e) strengthening international cooperation; and (f) creating conditions for effective action in all areas of the country.

244. The Board notes the application of fines for drug-related behaviour of a minor nature that are intended to give effect to the provisions of the international drug conventions that provide for alternatives to conviction and punishment for drug-related offences of a lesser relative gravity, in particular when committed by persons who use drugs. While it welcomes this development, the Board encourages the Government of France to continue to take steps to address, through training and awareness-raising activities for police officers, the potential for the disproportionate application of fines to certain vulnerable groups.

245. The Board acknowledges the Government's efforts in the area of treatment and rehabilitation and encourages it to take further steps to ensure access to treatment, rehabilitation and social reintegration. In this regard, the Board welcomes the significant progress made thus far by the Government, in particular in increasing the availability and scope of treatment and harm-reduction measures in prison settings, as well as ensuring the provision of social housing for homeless persons with drug use and dependence conditions.

246. The Board values its constructive relationship with the Government of France and looks forward to its ongoing dialogue.

(c) Germany

247. In September 2018, the Board undertook a mission to Germany in order to obtain updated information on the Government's policy, national legislation and practical experiences in the area of drug control, and to discuss important issues of international drug control policy.

248. The Board notes the Government's firm commitment to the objectives of the international drug control system and its active support of the work of INCB, including through participation in INCB activities and projects. In addition, Germany regularly shares background information and details on seizures to enable INCB to substantively analyse the precursors trafficking situation and to identify and address potential weaknesses in drug control.

249. As a major manufacturer and trading nation of pharmaceutical products, including those subject to international control measures, the Board encourages the Government of Germany to continue its efforts to implement I2ES in the country in order to facilitate the exchange of trade information in real time as a further safeguard for stemming the diversion of controlled substances. It notes that work in this area is progressing.

250. The Board commends the Government for its treatment and rehabilitation facilities and for the good functioning of drug demand-reduction services, which are provided free of charge by local authorities. The Board encourages the Government to further build on the existing treatment system and to expand the provision of treatment, including through methadone-substitution therapy, to cover drug use among vulnerable population groups, including persons in detention facilities and migrants.

251. The Board acknowledges the substantial efforts made by Germany to address the illicit manufacture of and trafficking in NPS and non-scheduled precursors and encourages the Government to continue actively sharing information internationally on the subject, including through Project Ion, Project Prism and Project Cohesion, as well as IONICS and PICS.

(d) Luxembourg

252. In September 2018, the Board undertook a mission to Luxembourg to review the implementation of the international drug control treaties in general, and to obtain updated information in certain areas of drug control, including licit trade in controlled substances, the use of

cannabis for medical purposes and "drug consumption rooms", since the last mission to the country, in 2006.

253. The Board commends the Government for its comprehensive approach to the care of persons affected by drug use and dependence, including in prisons, and for the considerable efforts made in the areas of treatment, rehabilitation and prevention.

254. In this regard, the Board notes the adoption of the fifth national action plan on illicitly acquired drugs and their corollaries covering the period 2020–2024, which contains items intended to bolster coordination, research and measures to reduce risk, harm and nuisance associated with drug use and to strengthen international cooperation. The plan also provides for the expansion of counselling services for young people and the increased use of information and communications technologies in order to reach a broader audience.

255. The Board also notes that the country's cannabis trial project, initiated in 2019, has been extended indefinitely following consultations with pharmacists and medical practitioners and that an evaluation of the programme is planned for release in late 2021.

256. In addition, the Board recalls that, in December 2018, the Government of Luxembourg announced plans to legalize and regulate the use of cannabis for non-medical purposes in the country. In October 2021, the Ministers of Justice and the Interior announced that the plans were moving ahead, subject to parliamentary approval, and would include allowing the cultivation of cannabis for personal consumption for non-medical purposes in private homes. In its interactions with the Government, the Board has reiterated its position that the legalization of the use of controlled substances for non-medical or non-scientific purposes is inconsistent with the obligations incumbent upon States parties to the international drug control conventions.

257. According to information provided by the Government since the Board's mission, the Pharmacy and Drugs Division of the Health Directorate, which is responsible for the control, monitoring and proper use of drugs, in particular narcotic drugs and psychotropic substances, has been restructured and is now supported by a professional team of pharmacists, veterinarians, doctors and technical specialists. The Government also reported that the Pharmacy and Drugs Division had set up a working group with the precursors unit of the Customs Authority in Luxembourg to improve collaboration on the control of chemical precursors, a development welcomed by the Board. Moreover, the Division has established

collaboration with the police, the public prosecutor's office and the EMCDDA national focal point concerning data on seizures.

258. In its communications with the Board, the Government has noted that regional collaboration remains a priority in view of the geographical position of Luxembourg and the important cross-border movements of goods. The Board welcomes this approach and encourages the Government to continue its efforts to bolster drug control activities at the regional level.

(e) Mauritius

259. The Board undertook a mission to Mauritius in July 2018. The Board notes the Government's commitment to the objectives of the international drug control treaties and the Government's expressed willingness to take necessary action for the comprehensive implementation thereof.

260. Since 2013, Mauritius has been experiencing a surge in the amounts and types of NPS seized and reported as available on the market. The Board welcomes the Government's efforts to actively strengthen its intelligence-collection capacity to disrupt NPS trafficking networks, which has led to an increase in the number of arrests and in the amounts seized. The Board notes the role in particular of the Anti-Drug and Smuggling Unit of the Mauritius Police Force and the Customs Anti-Narcotics Section of the Mauritius Revenue Authority.

261. The Board acknowledges the establishment of a high-level drugs and HIV council within the Prime Minister's Office to ensure a strong, efficient and effective national response to the drug problem in Mauritius that encompasses demand reduction, treatment, rehabilitation and supply reduction, in accordance with the country's National Drug Control Master Plan for the period 2019–2023.

262. The Board welcomes the commissioning by the National Drug Secretariat of a comprehensive national study that is aimed at collecting baseline information on drug use, including: (a) the extent and pattern of drug use in the country; (b) the sociodemographic characteristics of those who use drugs; (c) the age of onset of drug use; (d) frequency and patterns of use; (e) high-risk drug use and the extent of poly-drug use and drug dependence; (f) the accessibility and utilization of services for drug dependence treatment, HIV prevention and care; and (g) community perceptions of the extent of drug use. This national survey will be conducted with the technical assistance and support

of WHO. The Board acknowledges the effective cooperation of Mauritius in fulfilling the country's obligations under the international drug control treaties. The Board notes that it will continue to work closely with the Government to facilitate the implementation of its recommendations.

(f) Netherlands

263. The Board conducted a mission to the Netherlands in June 2018 to review the drug control situation in the country and to discuss the Government's experiences in the implementation of the international drug control treaties.

264. The Board acknowledges its strong working relationship with the Government of the Netherlands, which actively participates in INCB activities and consistently submits high-quality data to the Board.

265. Under the "controlled cannabis supply chain experiment" initiated by the Government in 2020, the cultivation and wholesale supply of cannabis for non-medical purposes to "coffee shops" were expected to be authorized in up to 10 municipalities for a trial period of four years, followed by an evaluation of the effects on public health and public order, including crime rates. The Controlled Cannabis Supply Chain Experiment Bill (Experiment Act), the accompanying order in council and the ministerial regulation entered into force on 1 July 2020, which marked the start of the preparation phase. During that phase, the Government was reportedly working on measures to select and appoint the growers, who would produce cannabis to be sold in the "coffee shops" located in the 10 participating municipalities.

266. The Board has engaged in close dialogue with the Government on the controlled cannabis supply chain experiment and has repeatedly emphasized that the legislation regulating the experiment is inconsistent with article 4, paragraph (c), of the 1961 Convention as amended, which requires States parties to take such legislative and administrative measures as may be necessary to limit the use of narcotic drugs exclusively to medical and scientific purposes.

267. The Netherlands remains one of the main manufacturing and transit countries for synthetic drugs, including NPS not subject to international control, and the Board welcomes efforts being made by the country to address this situation, including proposed amendments to drug control legislation that would provide new means to counter the increasing manufacture of and trafficking in synthetic drugs.

268. The Board welcomes the recent adoption of measures to combat drug-related organized crime, such as the planned establishment of a new multidisciplinary anti-crime unit, which will enhance cooperation among investigative services and act decisively in combating criminal networks. At the Department of Justice and Security, a temporary and project-based unit will forge coalitions between public and private stakeholders, with a focus on reducing trafficking in cocaine and the manufacture of synthetic drugs.

269. The Board notes that further policies are being developed in order to improve the seizure of criminal assets and the disruption of criminal activity and looks forward to being informed of the outcome of those deliberations in due course.

270. Finally, the Board also notes the comprehensive prevention, harm reduction, treatment and rehabilitation structures in place in the Netherlands and welcomes recent steps to ensure the dissemination of information and materials in English, making them accessible to residents and visitors who do not speak Dutch.

(g) Paraguay

271. In December 2018, the Board undertook a mission to Paraguay to pursue its dialogue with the Government on matters relating to the implementation of the international drug control conventions and to examine legislative and administrative measures, as well as achievements in preventing drug use and combating drug trafficking, since its previous mission, in 2005.

272. The Board notes that the Government of Paraguay has undertaken several initiatives, including the organization of inter-agency round tables on addiction treatment and restorative justice and the signing of inter-institutional cooperation agreements.

273. To effectively monitor illicit cannabis crop cultivation, Paraguay has been working on a concept note with UNODC through the global illicit crop monitoring programme. The Board acknowledges other efforts of Paraguay to strengthen its engagement with international organizations in the area of drug control and reiterates the importance of having reliable systems in place for the monitoring of cannabis cultivation.

274. Paraguay has implemented several initiatives aimed at improving prison conditions and reducing prison overcrowding. In this regard, the Board encourages the Government to continue to give effect to the provisions of

the international drug control conventions that provide for alternatives to conviction and punishment for drug offences of a lesser relative gravity, in particular when committed by persons who use drugs, including by promoting the use of restorative justice and alternative sentencing practices.

275. While commending the Government for its comprehensive drug use treatment, rehabilitation and prevention efforts, the Board continues to encourage the Government to conduct comprehensive epidemiological studies in order to help gauge the scope and extent of drug use in the country and to inform the development of evidence-based drug policies.

276. The Board encourages the Government of Paraguay to continue its efforts to implement the provisions of the international drug control conventions and looks forward to continued dialogue with the authorities on drug control matters.

(h) Tunisia

277. In October 2018, the Board undertook a mission to Tunisia to discuss various issues relating to national drug control and the measures necessary to achieve the objectives of the international drug control treaties.

278. The Board notes that the COVID-19 pandemic has slowed the implementation of legislative reforms and projects in the field of drugs. Nevertheless, the Board notes the continued commitment of Tunisia to addressing the drug-related challenges in the country.

279. Since the mission, Tunisia has made substantial efforts to implement the Board's recommendations. The Board commends the Government for the adoption of a national strategy for prevention, harm reduction and management of illicit psychoactive substance use disorders developed in collaboration with UNODC.

280. The Board welcomes the Government's recognition of drug addiction as a health condition, giving rise to the right to medical care. Tunisia has taken measures to improve its drug use treatment framework, including initiating discussions on the introduction of opioid agonist treatment with methadone and drafting an action plan for the prevention and treatment of drug use.

281. While taking note of the efforts of Tunisia to assess and understand drug use in the country, the Board encourages the Government to undertake additional measures to establish a national monitoring centre on drugs and to carry out epidemiological surveys to ensure

that the adoption of drug policy in the country is evidence-based.

282. The Board encourages the Government of Tunisia to provide further information on the establishment of a competent authority for the purposes of the implementation of the 1988 Convention and on the operational status of the National Narcotics Bureau.

283. The Board acknowledges the effective cooperation of the Government of Tunisia in fulfilling the country's obligations under the international drug control treaties and looks forward to its further cooperation.

(i) United Arab Emirates

284. In September 2018, the Board undertook a mission to the United Arab Emirates with the aim of reviewing the drug control situation in the country and discussing the Government's experience in the implementation of the international drug control treaties.

285. The Board takes note of the Government's commitment to the three international drug control conventions and its efforts to optimize the collection of data and its reporting to the Board pursuant to the treaties. The Board acknowledges the Government's active interest in the use of INCB tools for monitoring the import and export of precursor chemicals and for exchanging information with counterparts.

286. While commending the measures taken to further strengthen the treatment and rehabilitation capacities for drug users, the Board encourages the Government to strengthen its collection of epidemiological data on drug use in the country in order to tailor its drug policy to specific realities and to take measures to address drug use and dependence that are evidence-based.

287. The Board encourages the Government of the United Arab Emirates to continue its efforts to implement the provisions of the international drug control conventions and looks forward to continued cooperation with the Government on drug control matters.

(j) United Kingdom of Great Britain and Northern Ireland

288. The Board undertook a mission to the United Kingdom in October 2018 to review the drug control situation and the implementation of the three drug control treaties in the country.

289. The Board takes note of measures taken by the Government to prevent drug use and to provide treatment and rehabilitation for persons who use drugs.

290. In particular, the Board welcomes the allocation by the Government of the United Kingdom of substantial new funding for treatment for drug users throughout the country in order to guarantee access to drug use treatment for those seeking it.

291. Since the mission, the Government has undertaken a range of actions aimed at reducing the number of drug-related deaths and has expressed its commitment to research into the complex factors involved in drug-related deaths.

292. In addition, the Board commends the engagement of the United Kingdom in addressing trafficking in drugs and NPS.

293. The Board notes, however, that the country's performance in the fulfilment of its treaty-mandated reporting obligations to the Board remains unsatisfactory, a situation that has a significant impact on global trade and statistics given the size of the country's pharmaceutical industry and its position as a major trader in medicines containing controlled substances. Accordingly, the Board encourages the Government to take measures to ensure the timely and accurate performance of its treaty-mandated reporting obligations.

294. The Board welcomes the regular exchange of information with the United Kingdom and looks forward to continued cooperation with the authorities.

D. Action taken by the Board to ensure the implementation of the international drug control treaties

1. Action taken by the Board pursuant to articles 14 and 14 bis of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol and article 19 of the Convention on Psychotropic Substances of 1971

295. When the Board has objective reasons to believe that the aims of the international drug control treaties are being seriously endangered by the failure of a State party

to comply with the obligations contained in those treaties, or there is a serious situation requiring cooperative action at the international level, the Board can undertake specific courses of action to facilitate compliance. These actions are set forth in articles 14 and 14 bis of the 1961 Convention as amended, article 19 of the 1971 Convention and article 22 of the 1988 Convention. Under those articles, the Board engages in a formal dialogue with the States in question, as well as with the international community, with a view to facilitating and ensuring compliance with the international drug control conventions.

296. Since its establishment, INCB has invoked article 14 of the 1961 Convention as amended and/or article 19 of the 1971 Convention with respect to various States and has engaged in a close dialogue with them with the objective of bringing about compliance with each party's international legal obligations under the conventions. Pursuant to the relevant provisions of the treaties, the names of the States concerned are not publicly disclosed, unless the Board decides to bring the situation to the attention of the parties, the Economic and Social Council or the Commission on Narcotic Drugs following its consultations with the Government in question or if the country in question consents to the invocation of the provisions being publicly disclosed, as in the case of Afghanistan.

297. The present section contains information on measures taken by the Board in relation to Afghanistan and provides details of the Board's engagement with the authorities of Afghanistan since 2001 under articles 14 and 14 bis of the 1961 Convention as amended. It also contains information on the political and security situation in Afghanistan and the action taken by the United Nations in relation to the country.

2. Consultations with the Government of Afghanistan pursuant to articles 14 and 14 bis of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol

298. The Board, having determined that Afghanistan had become by far the world's largest illicit producer of opium, and that this seriously endangered the aims of the 1961 Convention as amended, decided at its sixty-eighth session, in May 2000, to invoke article 14 of that Convention with respect to Afghanistan and, under paragraph 1 (a) of that article, to propose to the de facto Government of Afghanistan at the time the opening of consultations and the provision of information.

299. At its sixty-ninth session, in November 2000, the Board decided that representatives of the authorities of Afghanistan should be invited to discuss with it measures that they had taken to comply with the provisions of the 1961 Convention as amended and, in particular, any progress made to address the illicit cultivation of opium poppy and the illicit production of and trafficking in opiates. On 28 March 2001, consultations were held in Vienna with high-ranking representatives of the de facto Government of Afghanistan and the Board organized a country visit to Afghanistan from 4 to 6 September 2001 to pursue consultations with the authorities of the country under article 14, paragraph 1 (a), of the Convention. As a result of those consultations, the Board found that a serious situation existed that called for cooperative action at the international level and with the authorities of any future governing body in Afghanistan, whether transitional or permanent. Concluding that addressing the serious drug control situation in Afghanistan needed the support and cooperation of the international community, the Board decided to call the attention of the parties, the Economic and Social Council and the Commission on Narcotic Drugs, through its annual report, to the situation in Afghanistan, under the provisions of article 14, paragraph 1 (d), of the 1961 Convention as amended. The Board also observed that, at the time, achieving peace, security and development in Afghanistan was closely linked to addressing the drug control problem.

300. After that period, and following the removal of the Taliban from power, dialogue and consultations were held with the authorities of Afghanistan under article 14 of the 1961 Convention as amended. Two high-level missions to Afghanistan, led by the President of the Board, were held, in August 2002 and May 2016, to support the authorities of Afghanistan in addressing drug challenges and meeting their obligations under the international drug control treaties.

301. Following its high-level mission to Afghanistan in May 2016, the Board decided that there was a need to invoke article 14 bis of the 1961 Convention as amended, with a view to further facilitating the provision of technical and financial assistance to the country. That article states that "in cases which it considers appropriate and either in addition or as an alternative to measures set forth in article 14, paragraphs 1 and 2, the Board, with the agreement of the Government concerned, may recommend to the competent United Nations organs and to the specialized agencies that technical or financial assistance, or both, be provided to the Government in support of its efforts to carry out its obligations under this Convention". On 28 March 2018, the Board received a

letter from the Government of Afghanistan in which the Government expressed its agreement to invoking article 14 bis of the 1961 Convention as amended, in addition to the measures already invoked by the Board under article 14. At its 122nd session, in May 2018, the Board decided to invoke article 14 bis with regard to Afghanistan.

302. Following the invocation of article 14 bis, the Board undertook a series of actions to identify the urgent needs of Afghanistan in addressing serious drug situation in the country, to call the attention of the international community to those challenges and to mobilize international assistance to address them. In order to gauge the nature and scope of the assistance needed, several consultations were held with the Government of Afghanistan, including at the Board's 127th session, held in Vienna in February 2020, to which a high-level delegation from Afghanistan was invited. The Government of Afghanistan called for urgent and sustained technical and financial support by the international community for: (a) building alternative livelihood programmes; (b) addressing linkages between terrorism, insurgency, corruption and drug trafficking; (c) strengthening law enforcement capacities for the interdiction of drug trafficking and investigation of domestic and international drug-related offences; (d) facilitating regional cooperation in addressing drug control challenges; (e) addressing trafficking in chemical precursors used in illicit drug production; and (f) increasing health-care opportunities for the treatment and rehabilitation of drug users, in particular women and young people.

303. With a view to mobilizing international assistance for those areas identified by the Board and the Government, the Board issued a press release on 10 February 2020 on the consultations held, highlighting several areas requiring international assistance.

304. In his statement during the opening meeting of the sixty-third session of the Commission on Narcotic Drugs, the President of the Board also addressed the drug control situation in Afghanistan and reported on the outcome of the consultations with the Government of Afghanistan at the Board's 127th session, noting that the urgent needs in drug control that could be addressed through technical and financial assistance from the competent United Nations organs and specialized agencies had been identified. A similar call for international assistance was made by the President during meetings of the Economic and Social Council in June 2020 and July 2021.

305. In its annual report for 2020, the Board described areas that required support and called for international assistance to Afghanistan under article 14 bis of the 1961

Convention as amended. In an official statement issued on 10 February 2020, the Board stressed that efforts to stabilize the country would not be sustainable unless the country's illicit drug economy was effectively addressed.

306. The Board has consistently sought to integrate the need for support to Afghanistan into all of its ongoing and planned meetings with its partners, including, but not limited to, UNODC, WHO, the Commission on Narcotic Drugs and the Economic and Social Council.

Latest consultations with the Government of Afghanistan

307. During the reporting period and until the overthrow of the democratically elected Government of Afghanistan in August 2021, the Board continued to pursue consultations under articles 14 and 14 bis of the 1961 Convention as amended. On 15 April 2021, the President of the Board held a meeting with the delegation of Afghanistan on the margins of the sixty-fourth session of the Commission on Narcotic Drugs. The meeting was focused on the latest drug control challenges and needs for technical and financial assistance. The delegation gave a briefing to the President on recent drug control efforts in the country, which included adopting drug action plans and relevant regulations, dismantling laboratories, providing alternative livelihood assistance, introducing measures to address precursor trafficking, developing regional and international cooperation initiatives, and making drug control one of the main priorities of the Government. The delegation reiterated the drug control challenges facing the country, which included armed opposition to opium poppy eradication, the lack of technical equipment for use in counter-narcotics law enforcement, the lack of compliance with agreed memorandums of understanding among certain countries in the region and the lack of a regional strategy to combat drug trafficking.

Situation in Afghanistan

308. The political and security situation in Afghanistan during the reporting period was dominated by the announcement of the withdrawal of all United States and NATO troops from Afghanistan followed by the rapid takeover by the Taliban of almost the entire territory of the country, resulting in the collapse of the Government of Afghanistan.

309. On 14 April 2021, the President of the United States announced that all United States troops in

Afghanistan would be withdrawn during the period 1 May–11 September 2021. Foreign troops under NATO command also started withdrawal from Afghanistan, which was to be completed by 11 September 2021. In July 2021, the President announced that the United States military mission in Afghanistan would conclude on 31 August, 11 days earlier than initially planned.

310. Soon after the announcement of the military withdrawal, the Taliban launched an offensive against the government forces and rapidly advanced, meeting little resistance and eventually taking over most of the territory of Afghanistan, including Kabul. This led to unprecedented international efforts to evacuate foreign citizens and diplomats, as well as Afghan nationals who had supported foreign missions and many others fleeing Afghanistan fearing for their safety, ahead of the agreed deadline of 31 August 2021.

311. On 17 August 2021, the Taliban held its first press conference following its takeover of Afghanistan. It declared that it wanted peaceful relations with other countries, would respect the rights of women “within the framework of Islamic law” and would not seek retribution against former soldiers and former government members, or contractors and translators who had worked for international forces. On 17 August, the First Vice President of Afghanistan, Amrullah Saleh, proclaimed himself the caretaker President of Afghanistan and announced the formation of an anti-Taliban front in the Panjshir Valley.

United Nations action

312. On 16 August 2021, the Security Council held an emergency meeting on the situation in Afghanistan, following which the Council issued a statement calling for the cessation of hostilities and the establishment, through inclusive negotiations, of a new Government in Afghanistan that was united, inclusive and representative, with the full, equal and meaningful participation of women. Council members called for an immediate end to the violence and the restoration of security and civil and constitutional order. They emphasized the need for urgent talks to resolve the crisis of authority and to arrive at a peaceful settlement through a national reconciliation process that was both Afghan-led and Afghan-owned.

313. Also at that meeting, the Secretary-General called for the Council to stand as one and to ensure that human rights were upheld, humanitarian aid continued and the country did not again become a haven for terrorism. He highlighted the need to protect civilians and allow humanitarian access and urged Member States to show

willingness to receive Afghan refugees and to halt any deportations to Afghanistan.

314. On the same day, a group of United Nations-appointed human rights experts issued a statement calling upon Member States to take immediate and preventive action to prevent the “slaughter of civilians”, the destruction of essential civilian infrastructure and the undoing of decades of human rights, rule of law and gender equality work to advance the health, education, culture and social infrastructure of Afghanistan. They also urged the Security Council to take appropriate action under Chapter VII of the Charter of the United Nations to safeguard the human rights and humanitarian needs of the people of Afghanistan, including its most vulnerable, and to address the role of Member States to prevent acts of terrorism under international law.³⁹

315. On 17 August 2021, the Deputy Special Representative of the Secretary-General for Afghanistan, Resident Coordinator and Humanitarian Coordinator of the United Nations Assistance Mission for Afghanistan issued a statement reiterating the commitment of the United Nations in Afghanistan “to stay and deliver aid to millions of people in need in the country”. He noted that, while some United Nations personnel who were not location-dependent had been temporarily relocated, the majority of humanitarian personnel were staying to support the humanitarian response in line with the principles of humanity, neutrality, impartiality and independence.

316. In addition to other dire humanitarian challenges in Afghanistan, the Board is also concerned about the lack or low level of availability of medicines containing controlled substances in the country, which has been aggravated by the emergency situation. In this context, the Board reminds all Governments that, in emergencies, it is possible to utilize simplified control procedures for the export, transportation and provision of medicinal products containing controlled substances. Competent national authorities may permit the export of medicines containing narcotic drugs and/or psychotropic substances to affected areas in the absence of the corresponding import authorizations and/or estimates. Urgent deliveries do not need to be included in the estimates of the receiving country. In addition, the Board reiterates the importance of taking urgent measures to increase the availability of treatment and rehabilitation programmes accessible to all persons affected by drug use and dependence in Afghanistan, including women and young people.

³⁹Chapter VII of the Charter concerns the response of the Security Council to threats to peace, breaches of peace and acts of aggression, and allows for non-military and military action.

317. The Board continues to closely monitor the evolving political and security situation in Afghanistan and stands ready to facilitate the efforts of the international community to support peace and security in Afghanistan, with full respect for human rights and the rule of law. The Board will also continue to work with the United Nations and other international entities to further facilitate measures to address the complex drug control challenges in Afghanistan in the context of supporting peace and sustainable development.

3. Supporting Governments' compliance with the treaties

(a) INCB Learning

318. INCB Learning is the Board's initiative to enhance the ability of Governments to estimate and assess their needs for internationally controlled substances for medical and scientific purposes, in compliance with the three international drug control conventions. Since its launch in 2016, the programme has been supporting Member States and their competent national authorities in implementing the recommendations contained in the outcome document of the special session of the General Assembly on the world drug problem held in 2016 and the reports of the Board for 2015 and 2018 on the availability of internationally controlled drugs.⁴⁰

319. The ultimate goal of INCB Learning is to ensure the adequate availability of narcotic drugs and psychotropic substances required for medical and scientific purposes, while preventing their abuse and diversion into illicit channels. The submission of timely and accurate national reports to the Board of estimated requirements and statistical data for controlled substances and estimates of annual legitimate requirements for precursors is essential for achieving this objective.

320. INCB Learning supports Member States in fully implementing and complying with the international drug control conventions, in particular through training and awareness-raising. Capacity-building activities include regional training seminars, availability workshops, e-modules, bilateral consultations and, since mid-2020, online training sessions.

321. Since the pandemic began, INCB Learning training seminars have been held online for 128 government officials from 27 countries and territories. In the 12-month

period to 1 November 2021, INCB Learning conducted training for 95 officials from 21 countries in Africa, South America, South-East Asia and the Pacific. On 25 and 26 November 2020, a seminar was conducted, in Spanish, for officials of the competent national authorities of Colombia, Ecuador and Peru. The sessions were attended by 41 officials (of whom 25, or 61 per cent, were women). From 7 to 14 December 2020, a seminar was conducted, in French, for officials from eight countries in West Africa. Nineteen officials (of whom 14, or 74 per cent, were women) from Burkina Faso, the Democratic Republic of the Congo, Gabon, Guinea, Morocco, the Niger, Senegal and Togo participated in the sessions. From 8 to 23 March 2021, a seminar was conducted, in English, for officials from 10 countries in South-East Asia and the Pacific: Bangladesh, Bhutan, Indonesia, Malaysia, Nepal, Philippines, Singapore, Sri Lanka, Timor-Leste and Viet Nam. Of the 35 officials who participated, 24, or 69 per cent, were women.

322. INCB Learning seminars are evaluated anonymously by participants. The evaluations show that the content meets participants' expectations, the sessions are highly relevant and the learning materials are of a high quality.

323. INCB Learning has also developed e-modules to support Governments in adequately estimating and assessing their needs for internationally controlled substances. Available in English and Spanish, the three INCB Learning e-modules offer interactive, self-paced training on the estimates system for narcotic drugs, the assessment system for psychotropic substances and the estimates of annual legitimate requirements for imports of precursors of ATS. In 2021, a fourth module, on the international drug control framework and INCB, was made available, in English and Spanish.

324. In line with the commitment of the Board and the United Nations to multilingualism, the first three INCB Learning e-modules were translated into French and Portuguese during 2021.

325. In total, 1,171 officials, 54 per cent of whom were women, from 132 countries and territories were enrolled in INCB Learning e-modules. Successful completion of the modules is acknowledged with an online certificate and, to date, 1,095 digital certificates have been issued. The Board encourages Governments to register officials of their competent national authorities for the modules and to provide feedback and suggestions for areas in which the development of further training is needed.

⁴⁰E/INCB/2015/1/Supp.1 and E/INCB/2018/Supp.1.

326. In its capacity-building activities, INCB Learning works with key partner organizations the African Union Commission, CICAD, UNODC and WHO.

327. INCB Learning presented its capacity-building responses to the COVID-19 pandemic at an online side event during the sixty-fourth session of the Commission on Narcotic Drugs. The side event was organized by the Government of Switzerland in cooperation with INCB, and it was co-sponsored by Australia, Belgium, Brazil, Canada, Chile, China, Ecuador, El Salvador, France, Honduras, Kazakhstan, Kyrgyzstan, Mexico, the Netherlands, Paraguay, Peru, Poland, Portugal, the Russian Federation, Singapore, Spain, the African Union Commission, the European Commission, OAS, UNODC and WHO. The event was attended by over 100 participants, and key speakers included high-level representatives of the Governments of Honduras and Portugal and of the African Union Commission, as well as experts from Médecins Sans Frontières, UNODC and WHO. During the side event, the African Union Commissioner for Health, Humanitarian Affairs and Social Development highlighted the relevance and impact of the technical assistance provided by INCB Learning through its capacity-building responses.

328. The second of the nine pillars of the African Union Plan of Action on Drug Control and Crime Prevention (2019–2023) covers availability of and access to controlled substances for medical and scientific purposes while preventing their diversion, with an emphasis on removing barriers that reduce access to medicines. INCB Learning has been working closely with the African Union Commission in this regard and is to provide a technical briefing to the Specialized Technical Committee on Health, Population and Drug Control at its fourth ordinary session, which is expected to be held in 2022.

329. A new section, containing questions frequently asked by competent national authorities, was included on the INCB Learning website. The section, currently available in English, French and Spanish, provides information on compliance with the provisions of the three international drug control conventions in the regulatory control and monitoring of the licit trade in narcotic drugs, psychotropic substances and precursor chemicals. Drug control officials can use the section to find information related to, for example, accurate submission of forms and timelines. Access to all the forms is also provided in that section.

330. To assist competent national authorities in their duties, all training materials have been consolidated and are now available on a dedicated page of the INCB

Learning website. The page provides links to different sources of information, training materials, various guidelines, tools and forms that support reporting to INCB.

331. INCB Learning newsletters are published regularly on the INCB Learning website and disseminated to competent national authorities upon subscription. In that connection, the Board invites national drug control officials interested in INCB Learning activities and learning tools to subscribe to the newsletter by sending an email to incb.learning@un.org.

332. The Board is grateful for the contributions to INCB Learning made by the Governments of Australia, Belgium, France, the Russian Federation, Thailand and the United States, and reiterates its invitation to Governments to consider actively supporting INCB Learning by participating in its activities and providing the resources required to ensure the programme's continuation and expansion.

(b) International Import and Export Authorization System

333. Pursuant to article 31 of the 1961 Convention as amended, article 12 of the 1971 Convention and relevant resolutions of the Economic and Social Council, international trade in narcotic drugs and psychotropic substances requires both import and export authorizations. Given the growing volume of licit trade in internationally controlled substances, which leads to an increasing workload for competent national authorities, it is essential to modernize the import and export authorization system in order to keep pace with rapidly developing supply chains. This will further reduce the risk of diversion of controlled substances while ensuring the adequate availability of and access to those substances.

334. I2ES, an Internet-based electronic system developed by the Board together with UNODC, with financial and technical support from Member States, was designed to promote paperless trade in internationally controlled substances by facilitating the online exchange of import and export authorizations.

335. Available to all Governments at no cost, I2ES serves as a safe and secure platform for generating and exchanging import and export authorizations between trading countries while ensuring full compliance with all provisions of the 1961 Convention as amended and the 1971 Convention. The system helps competent national authorities to reduce errors in data entry and save time and communication costs.

336. The estimates of requirements of narcotic drugs and the assessments of psychotropic substances established by States parties and endorsed by the Board are automatically synchronized with I2ES. After an import authorization has been approved, the system calculates in real time the remaining balance of the estimates or assessments available to the importing country. Trading partners registered with the platform can access that information at any time. Authorities of the trading countries can also use the system to securely communicate and exchange information directly with their counterparts if further clarification relating to a transaction request is required.

337. Unlike paper-based systems, in which authorizations can be further processed only after their physical delivery and receipt, the online exchange of import and export authorizations using I2ES enables the instantaneous transfer of data between trading countries, thus facilitating a much faster approval process. To provide a fully electronic and paperless international trade system, the Board established the possibility for Governments to use electronic signatures along with the import and export authorizations processed using the system.

338. In its resolutions 55/6, 57/10, 58/10 and 61/5, the Commission on Narcotic Drugs set out actions to further the establishment of an import and export authorization system and invited the secretariat of INCB to administer and monitor I2ES and report on the progress made on its implementation.

339. In the outcome document of the thirtieth special session of the General Assembly, Heads of State and Government recommended expediting the process of issuing import and export authorizations for licit international trade on narcotic drugs and psychotropic substances by using I2ES.

340. The COVID-19 pandemic has highlighted the important role that I2ES plays in the international drug control system. The Board notes that many countries have initiated emergency procedures to expedite the authorization process for the trade in narcotic drugs and psychotropic substances in order to respond to heightened demand, stemming from the pandemic, for medicines containing controlled substances. Several countries already registered with I2ES were able to leverage the advantages of the platform to rapidly respond to their needs.

341. The Board notes that, in the 12-month period to 1 November 2021, 25 Governments registered with I2ES, bringing the total to 89 Governments that have registered

with the system. Of those, 70 Governments have an active administrator account.

342. In order to encourage the further adoption of I2ES among Member States, INCB has carried out multiple activities to raise awareness of the system and improve the technical capabilities of competent national authorities.

343. Technical webinars were held to introduce the competent national authorities of Botswana, Montenegro and Poland to the functions of I2ES. An introductory session was conducted during an INCB Learning webinar for representatives from the competent national authorities of Burkina Faso, Cameroon, the Central African Republic, the Democratic Republic of the Congo, Gabon, Guinea, Morocco, the Niger, Senegal and Togo.

344. The efforts made by the Board can be reinforced and complemented only by the ongoing commitment of Member States in supporting the adoption of I2ES as the unequivocal choice of a digital international trade system for controlled substances. In its resolution 61/5, the Commission on Narcotic Drugs invited Member States to consider providing extrabudgetary resources for the maintenance and promotion of I2ES.

345. Know-how at the operational level and commitment to using I2ES at the decision-making level continue to be significant barriers to be overcome. The Board reiterates its commitment to working hand in hand with Member States on activities that encourage the wider adoption of the system and greater user engagement.

346. It is essential for Governments and the Board to continue their cooperation to implement I2ES in order to fully realize the benefits of the platform and facilitate the more rapid trade of internationally controlled substances.

347. INCB encourages Governments that have not yet done so to request the assistance of the INCB secretariat in implementing and integrating I2ES into their national systems, including through the provision of guidance on first steps and initial training.

348. Following the recommendations contained in Commission resolutions 58/10 and 61/5, the Board has continually expressed the need for extrabudgetary resources to increase awareness of I2ES, improve the capacity of Governments to use it and expand the functionalities of the system to address the challenges faced by Member States.

349. A multilingual user interface would facilitate the adoption of I2ES in more countries and regions. The

possibility of adding nationally controlled substances to the import authorizations processed using I2ES would enable competent national authorities to comply with domestic legal obligations and avoid the burden at the operational level of running two parallel systems, one for nationally controlled substances and another for internationally controlled substances. In addition, trade data stored in I2ES could be exported for post-processing purposes, which would help competent authorities to expedite and help alleviate the reporting burdens of countries on substances controlled under the international drug control treaties. These functions to improve I2ES cannot be realized without financial support from Member States.

350. The Board wishes to reiterate to Member States the need for continual support, including extrabudgetary resources, to expand the functionality of I2ES, address technical issues identified by Governments and provide expanded training to further support countries in adopting and implementing the platform.

(c) Global Rapid Interdiction of Dangerous Substances Programme

351. The INCB GRIDS Programme focal point networks form the core of activities under the Board's operational projects on dangerous substances, namely Project Ion and the OPIOIDS project. These networks comprise an infrastructure that enables the rapid exchange of information and alerts, facilitates bilateral and multilateral operational actions that assist with investigations and provides participating agencies with practical solutions to stop trafficking in non-scheduled substances. As at 1 November 2021, there were 1,824 Project Ion focal points representing 519 agencies from 188 Governments and 1,802 OPIOIDS project focal points from 184 Governments.

352. Through those focal points, in 2021, INCB coordinated Operation New Horizons, bringing together 164 officers representing 70 Governments and four international partners (INTERPOL, Oceania Customs Organization, Universal Postal Union and WCO). During the operation, more than 230 communications were exchanged through IONICS and 113 kg of tramadol (1.1 million tablets) and 194 kg of tapentadol (1.7 million tablets) were seized. The operation focused on key sources and redistribution points for consignments of the two substances trafficked primarily through the international post, express mail and courier services, air cargo and freight forwarders.

353. The above operation serves as an indication of what can be achieved through operational activities

facilitated by the real-time communication platform IONICS to promote the sharing of intelligence and actionable information by law enforcement authorities to prevent dangerous substances from reaching consumer markets. The number of incidents shared through IONICS has consistently increased and, in 2021, exceeded 20,000. In addition, more than 100,000 pieces of intelligence have been received and analysed. As a result, Governments have been able to carry out investigations and analyses, which, in turn, have led to seizures of dangerous substances, arrests of traffickers, prosecutions and disruptions of international trafficking networks. The Board encourages the Governments of Andorra, Azerbaijan, Belarus, Burundi, Cabo Verde, the Central African Republic, Chad, Comoros, the Congo, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Djibouti, Equatorial Guinea, Eritrea, Eswatini, Gabon, Guinea-Bissau, the Holy See, Honduras, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Lesotho, Liberia, Liechtenstein, Madagascar, Malawi, Mauritania, Mongolia, Morocco, Nauru, Nepal, Niue, Panama, the Republic of Moldova, San Marino, Sao Tome and Principe, Serbia, Seychelles, Sierra Leone, Slovenia, South Sudan, the Syrian Arab Republic, Tajikistan, Togo, Tonga, Turkmenistan, Uganda, Yemen and Zimbabwe to nominate both law enforcement and regulatory focal points to exchange communications using IONICS. The Board is pleased to note that the Governments of the Marshall Islands, Oman, Timor-Leste and Zambia have been using IONICS since 1 November 2020.

354. The GRIDS Programme further facilitates case meetings based on the information and intelligence made available through the communication platforms and from other sources, at the request of the Governments concerned, which has strengthened investigations, expanded operational capacities and facilitated international cooperation.

355. An important element of the work undertaken by the GRIDS Programme concerns public-private partnerships and the provision of support to Governments to develop and implement voluntary action to prevent dangerous substances from reaching end users. In this work, the Programme focuses on four key areas, namely manufacture, marketing, monetization and movement of dangerous substances. In the 12-month period from 1 November 2020, six expert group meetings and events were convened that brought together leading global private sector partners from these four areas, for example, e-commerce platforms, e-wallet services, chemical reference standards companies, freight forwarders, private postal and express mail operators and express courier services. These forums resulted in

operational outcomes, with a substantial number of vendors of dangerous substances being removed from e-commerce platforms, thereby reducing the availability of dangerous substances.

356. The GRIDS Programme also supports Governments in their response to the increasing trafficking in non-medical synthetic opioids, the group of substances that is most frequently associated with fatalities. In 2018, the Board first published a list of fentanyl-related substances with no known legitimate uses. This list, which has been updated on an ongoing basis, serves as a practical tool to prevent the diversion of and trafficking in these substances and reduce their availability to potential end users. The most recent version of that list contains 152 substances, of which 130 have not been scheduled under the international drug control conventions, and was circulated to Governments in November 2021.

357. Building on the success of the above list, the GRIDS Programme has developed, through an expert group, a second list with non-fentanyl opioids and other NPS which have no legitimate uses beyond limited research and analytical purposes. This list contains 56 non-fentanyl opioids and related NPS, of which 52 have not been scheduled under the international drug control conventions. This list was also circulated to Governments in November 2021.

358. The Board invites all Governments and, through them, industry partners, to voluntarily refrain from any manufacture, marketing, export, import or distribution of the substances on these lists. As these substances have no legitimate purposes, Governments may also use the lists for interdiction actions.

359. Between 1 January and 1 November 2021, four confidential global alerts and special notices were circulated to GRIDS Programme focal points, including a notification in March 2021 on the emergence of and increased number of reports on encounters involving xylazine, an NPS that is increasingly encountered in misdeclared consignments and in combination with fentanyl-related substances. Another special alert issued in March 2021 alerted focal points to numerous falsely declared tramadol consignments sent by means of express courier services from Spain.

360. The GRIDS Programme continued to provide officers worldwide with access to and training on the Board's intelligence tools throughout the ongoing COVID-19 pandemic, through distance-learning technologies. Between 1 January and 1 November 2021, 10 training sessions were held on topics including information

exchange using IONICS, intelligence development, awareness of NPS and safe handling and interdiction methods for opioids. A total of 750 law and regulatory enforcement officers, representing 83 Governments and three international organizations, took part in those training sessions.

(d) Project Prism and Project Cohesion

361. Project Prism and Project Cohesion, two international initiatives of INCB, continued to serve as platforms for international cooperation and the secure exchange of real-time information to address the diversion of chemicals used in the illicit manufacture of synthetic drugs (Project Prism) and heroin and cocaine (Project Cohesion).⁴¹ The two projects currently bring together operational focal points from law and regulatory enforcement entities from more than 140 Governments worldwide.

362. During the reporting period, INCB continued to serve as a focal point for the exchange of information on suspicious transactions in legitimate trade, trafficking trends, identified *modi operandi* and emerging non-scheduled chemicals, including through PICS (see paras. 363–365 below). Six special alerts were circulated to focal points, including on the following: (a) the emergence of ethyl *alpha*-phenylacetoacetate (EAPA) and methyl 3-oxo-2-(3,4-methylenedioxyphenyl)butanoate (MAMDDPA), two new designer precursors for ATS; (b) the cancellation of the import licence of a company in Costa Rica; (c) the seizure of fentanyl chemicals in the Netherlands; (d) new controls for fentanyl precursors in Mexico; and (e) results of the Board's Operation Missing Links in relation to an alternative precursor used in the illicit manufacture of amphetamine in "captagon" tablets.

(e) Precursors Incident Communication System

363. PICS is the INCB operational communication platform, designed to connect and facilitate the direct exchange of information between the competent national authorities responsible for the control of precursors, in particular law enforcement, customs and regulatory authorities. For example, PICS has been used to communicate information on effected seizures and on investigations into chemical diversions or attempts by national

⁴¹ A summary of the minimum action needed for international multilateral cooperation under Project Prism and Project Cohesion is available in the INCB report on precursors for 2015 (E/INCB/2015/4, box 2).

bodies in a position to identify, suspend or stop suspicious shipments entering, transiting or leaving their territory. By providing a mechanism for the exchange of actionable information in a secure environment, PICS has provided leads to national authorities to initiate backtracking investigations. An upgraded version of PICS was launched in October 2021.

364. As at 1 November 2021, more than 300 agencies had registered with PICS, with some 600 registered users from 127 countries and territories. Since its inception, information on more than 3,400 incidents involving trafficking in precursors has been shared. During the reporting period, almost 300 new incidents involving almost 800 communications on individual substances were shared through the platform. Information on more than 40 substances that are not scheduled in any of the tables or included in the international special surveillance list of non-scheduled substances was also communicated to the Board.

365. **The Board reiterates that the usefulness of communications through PICS depends by and large on the timeliness of the information and on the inclusion of actionable information, such as shipping documents and modi operandi, which can then trigger and facilitate immediate investigative follow-up and cooperation between law enforcement agencies. Early communication of incidents involving chemicals not included in Tables I or II of the 1988 Convention also helps to identify emerging trends and generate information for use with industry partners to prevent misuse of such substances as substitutes for controlled chemicals by illicit drug manufacturers.**

(f) Operation Acronym

366. Operation Acronym, a targeted, time-bound operation aimed at combating trafficking in precursors over the Internet (surface web), was conducted in February 2021 with the participation of 34 countries and four

international organizations. INCB held informal consultations with several countries regarding legal and operational challenges encountered during the period, as well as possible follow-up activities emerging from the operation.

367. The operation was conducted with support of the members of the Project Prism Task Force and was focused on three major trends highlighted by the Board in recent years, namely: (a) the role of domestic markets for internationally controlled precursors; (b) the use of non-scheduled chemicals and designer precursors and pre-precursors to circumvent controls; and (c) the use of the Internet, including legitimate business-to-business e-commerce platforms, in supplying precursors for illicit activities. Further details on the operation and its key outcomes are included in the report of the Board for 2021 on the implementation of article 12 of the 1988 Convention.

368. The Board commends all countries and private partners who participated in Operation Acronym. The Board will continue to support Governments' efforts in this regard and will capitalize on the lessons learned during the operation, in particular with regard to preventing trafficking in precursor chemicals over the Internet.

(g) International Narcotics Control Board newsletter on precursors

369. By October 2021, three INCB newsletters on precursors had been sent to some 800 recipients, including competent national authorities, Project Prism and Project Cohesion contacts and PEN Online users. The newsletters included information on recent developments, thematic issues and tools related to precursors control available to Governments. Among the thematic issues that the newsletters covered were the proliferation of non-scheduled chemicals and designer precursors and the need for increased attention to article 13 of the 1988 Convention and to the role of equipment in preventing illicit drug manufacture.

Chapter III.

Analysis of the world situation

A. Global issues

1. Legalization, decriminalization and depenalization: important differences

370. In its annual report for 2020, the Board remarked that strengthening international cooperation in drug control required a collective understanding of common challenges and the identification of mutual approaches to key concepts and issues. The Board notes that there continue to be divergences among Member States and stakeholders in the drug control field in the interpretation of certain terms and concepts related to drug control, and continues to encourage an accurate and consistent rendering of the legal obligations and concepts contained within the three drug control conventions.

371. While the Conventions themselves do not define the concepts of “legalization”, “decriminalization” or “depenalization”, they nonetheless contain provisions that cover the adoption by States parties of legal and policy frameworks to address drug-related behaviours, including the commission of serious offences, the commission of offences of a lesser relative gravity and the commission of offences by persons who use drugs.

372. The Board considers it important to recall that the international drug control conventions continue to provide wide latitude to States in designing differentiated approaches to the handling of drug-related behaviours according to their relative gravity and to the particular circumstances of the persons suspected of having perpetrated them.

373. The Board recognizes a growing trend among States parties to the international drug control conventions to apply the relevant provisions by adopting laws, policies and regulations that provide for alternatives to conviction and punishment for the personal use and possession of controlled substances.

374. The Board notes that the justifications advanced by States parties for this approach include the recognition of drug use and dependence as an issue primarily related to health, the desire to avoid responses to personal use and possession that may be considered overly punitive and lead to overincarceration and the recognition of the potentially disproportionate impact of certain responses on vulnerable groups including women, minority groups and economically disadvantaged populations.

375. However, policies that remove criminal sanctions for personal drug use and minor drug offences, commonly referred to as “decriminalization” by Member States, should be distinguished from policies that explicitly permit the non-medical and non-scientific use of internationally controlled substances and entail no penalty, whether criminal, administrative, civil or otherwise, for the personal use or possession of a particular substance.

376. The legalization of drug use is also frequently associated with the regulation and commercialization of internationally controlled substances for non-medical and non-scientific purposes, in violation of the international drug control conventions.

377. Therefore, the Board recalls that the terms “legalization” and “decriminalization” should not be used

interchangeably and that they should be differentiated when describing legislation and policies, in particular in terms of the level of control, as regards all requirements of the international drug control conventions.

378. An additional term, “depenalization”, has also been used by Member States and has at times been confused with other descriptions of frameworks designed to reduce reliance on imprisonment for drug-related offences. While the concept of depenalization is used less frequently, it has been used as synonymous with “decriminalization”, in particular in French- and Spanish-speaking States, in that it also refers to the removal of criminal sanctions for certain conduct involving controlled substances. However, with a view to using drug control terminology in a consistent and precise manner, the Board notes that the term “depenalization” should be differentiated from the term “decriminalization”, as an entirely distinct concept. “Decriminalization” refers to the process through which an offence is reclassified from “criminal” to “non-criminal” through legislative action. The behaviour in question remains an offence but may be addressed through other means than criminal law. In contrast, the concept of “depenalization” describes a situation in which the behaviour in question remains a criminal offence but in which there is a reduction of the use of existing criminal sanctions, which does not require changes to the law, as in the case of decriminalization. Accordingly, a depenalization approach may include the adoption of mechanisms such as police diversion practices, conditional sentences and the widening of prosecutorial discretion as an alternative to criminal prosecution. In such cases, the offender might be required to undergo treatment or rehabilitation as a condition for release from criminal liability.

379. The flexibility afforded to States, therefore, rests in the choice of sanctions to be applied to proscribed drug-related behaviours. Such sanctions may involve the application of alternative measures to criminal conviction and punishment that include treatment, education, aftercare, rehabilitation and social reintegration for minor offences, as specified in article 36, paragraph 1 (b), of the 1961 Convention as amended and article 22, paragraph 1 (b), of the 1971 Convention. The 1988 Convention also addresses drug-related offences and sanctions, although article 3, paragraph 1 (c) and paragraph 2, thereof specify that the requirement for the establishment of criminal offences is subject to a State’s constitutional principles and the basic concept of its legal system. The 1988 Convention also provides, in article 3, paragraph 4 (c), that, for cases of a minor nature, parties may provide, as alternatives to conviction or punishment, measures such as education, rehabilitation or social reintegration, as well as, when the

offender uses drugs, treatment and aftercare. Flexibility in responding to minor drug-related offences therefore derives from both the plain reading of the provisions of the conventions and the principle that States parties may respond to unlawful drug-related conduct in accordance with their constitutional principles and the basic concepts of their legal systems.

380. In sum, measures to decriminalize the personal use and possession of small quantities of drugs are consistent with the provisions of the drug control conventions. In fact, the Board has consistently explained that the conventions were designed to protect the health and well-being of people, including through the avoidance of disproportionate criminal justice responses to the possession of drugs related to personal use or dependence. It is at the discretion of States parties to the conventions to adopt policies and laws that are public health-oriented in response to minor drug-related offences, albeit with due regard for essential treaty provisions such as article 4, paragraph (c), of the 1961 Convention as amended and article 3, paragraphs 1 (a) and (b), of the 1988 Convention.

381. As mentioned above, the wider use of alternatives to conviction and punishment for drug-related behaviours of a minor nature, or for those offences committed by people who use drugs, is aimed at preventing criminal justice responses to a public health issue from becoming disproportionate. **The Board takes this opportunity to reiterate that proportionality should be a guiding principle in drug-related criminal justice matters and to explain that the adoption of alternative measures can constitute an integral part of a balanced and human rights-based approach to drug policy.**

382. INCB appreciates its ongoing dialogue with States and civil society groups on identifying ways to further the objectives of the international drug control conventions through the adoption of balanced and proportionate approaches founded on respect for human rights and the advancement of public health and welfare.

2. Use of social media in the promotion of the non-medical use of drugs

383. When the Internet was established, it was imagined as a network with vast opportunities for society in terms of access to information, service provision and participation. While many of those opportunities did materialize, the Internet was also readily exploited by criminals to

carry out illegal activities, including drug trafficking. The darknet is a clear example of the way in which criminal groups have been able to leverage the potential provided by the Internet to their advantage.

384. Similarly, when social media platforms emerged, there was considerable optimism about their role in society in terms of fostering communication and connections. They were intended to offer immense opportunities for social engagement and for sharing opinions and content with a wide range of people; a modern agora. Again, while some of those expectations did materialize, a darker side emerged, with hate speech, bullying, racism, shaming and other negative behaviours being provided with simple and effective platforms that had not been previously available. Among those negative behaviours, the facilitation and glamorization of non-medical drug use feature prominently. Sellers offering cannabis, prescription painkillers and other controlled substances can be found easily with a quick search. With a massive number of active users, social media platforms have been increasingly used as a tool for promoting the non-medical use of drugs.

385. Young people are the main users of social media platforms. They are also an age group with high rates of drug use worldwide. Peer pressure and other forms of social influence play an important role in the decision by young people to engage in drug use. These factors are amplified by their use of social media platforms. Social norms, risk perception and behaviours related to substance use and drug use in particular are shaped on these platforms. One of the most prominent features of social media is that every user is not only a receiver, but also a generator and disseminator of information.

386. There have been several studies on the link between exposure to social media platforms and drug use. Some studies have found a significant association between substance use-related exposure and actual substance use. A study of a random sample of cannabis-related posts on Instagram collected during one week in 2014 found that cannabis content was prevalent and that most of the posts studied normalized and promoted cannabis use both in its traditional, plant-based form and in other forms, including edibles and concentrates. The study also found that advertisements for cannabis on Instagram were explicit and strategic. Numerous tactics were utilized, including discounts, sales, contests and giveaways of cannabis-related products. A content analysis of tweets about cannabis and alcohol found that more than half normalized use of both substances and that one quarter indicated a preference for cannabis over alcohol on the basis of the belief that cannabis was safer and that its effects were preferable to those related to alcohol use.

387. Another study, on the exposure of young adults to alcohol- and cannabis-related content on Twitter, found that greater exposure to content that promoted or glamorized alcohol and cannabis use was significantly associated with a greater likelihood of current and heavy episodic drinking and current cannabis use. Exposure to a disproportionate number of posts and/or amount of content showing or promoting substance use might also lead to an overestimation of peer use, which is associated with a reduction in perceived risk and likely to result in greater use. Exposure to social media content promoting substance use can also be detrimental for patients seeking recovery from drug dependence, thereby increasing the risk of relapse.

388. The association between social media exposure to drug use content and actual use was aggravated by COVID-19 when, as a result of lockdown measures, young people increased their use of social media. This increase, together with an increase in anxiety and distress, may have led to increased substance use.

389. Beyond the use of cannabis and other substances such as cocaine and amphetamines, the non-medical use of prescription medicines, especially by young people, is also linked to the use of social media. Despite being illegal, the purchase of prescription medicines on the Internet without the necessary prescription is common in some countries. For example, social media platforms contributed significantly to the popularization and increasing misuse of codeine and promethazine hydrochloride cough syrups in combination with soft drinks or alcohol, which has been popularized on such platforms by some rap singers in their music and videos. Fans emulate them and post similar videos and images of their own use. Moreover, the use of social media by self-help patient groups may have also inadvertently contributed to the increase in the use of strong opioids for the treatment of pain without proper prescription and dosage, which in turn may have played a role in the extensive consumption of strong opioids that is at the origin of the opioid epidemic in some countries.

390. The way in which social media platforms work is exacerbating the problem. As a result of the algorithms on the basis of which social media platforms work, people who follow accounts that promote or normalize drug use receive a stream of similar or related messages, videos and content that exposes them again and again to images and videos depicting drug use. This creates an echo chamber that reinforces and confirms their previous choices and opinions.

391. Other elements of social media platforms that contribute to the problem are the role of influencers and the

fact that the platforms provide for the sharing of comments, which give users immediate feedback from peers. Influencers are increasingly promoting drug use content, with videos and messages glamorizing it. Initially, some influencers may do it to promote their own image and receive positive feedback from followers; however, when the number of followers of an influencer reaches a certain size, companies may recruit the influencer to promote their products through the production of online content for a financial reward. This has happened with fashion, cosmetics and other products, but it has also happened with drug-related products (in particular cannabis and cannabis-related substances) and prescription medicines.

392. Article 10, paragraph 2, of the 1971 Convention states that each party shall, with due regard to its constitutional provisions, prohibit the advertisement of psychotropic substances to the general public. There are legal issues that need to be considered, in particular in relation to the right to free speech. However, this right has to be considered in the context of the right to health for the public and also the societal need to protect vulnerable groups, such as young people. Governments should require social media companies to take a more active role in moderating their platforms and in limiting messaging and content that are not legal, such as the advertisement and promotion of the non-medical use of drugs. Social media companies should also take action independently by self-regulating their platforms and eliminating problematic and illegal content in the same way as for other illegal activities, for example, trafficking in children. The experience of the INCB GRIDS Programme shows that, by working with Internet marketing platforms, it is possible to take action to eliminate the sale of illicitly produced drugs on those platforms.

393. Social media platforms may be legally registered in one country, but they have a global reach. This makes it hard for national authorities to bring legal cases against users who promote illegal activities, such as the promotion, distribution or sale of controlled substances for non-medical purposes. It is necessary for Governments to develop effective cooperation mechanisms to ensure that social media platforms are not exploited as safe havens by those promoting illegal behaviours.

394. Social media are used to promote risky behaviours, such as the non-medical use of drugs, but they could and should be used to promote healthy behaviour, with appropriate and tailored prevention messages and content to balance the flow of content promoting non-medical drug use. **Social media are a critical tool for reaching vulnerable groups, such as young people, and national authorities should consider investing more resources in the**

development and implementation of drug prevention programmes and activities that make use of social media with tailored, engaging and entertaining messages and content.

395. In addition, more needs to be done in relation to research on the use of social media platforms to promote the non-medical use of drugs. Real-time big data on the non-medical use of drugs need to be collected and analysed to provide Governments and practitioners with a better understanding of the problem. Such information could be useful to health-care practitioners and law enforcement agencies as an early warning system for the detection of new drug use and distribution trends and practices that would otherwise be discovered only once they have taken hold.

3. Timely supply of controlled substances for the provision of quality essential care in humanitarian settings

396. Defined as “a disaster requiring international support (humanitarian assistance) to meet the basic needs of the affected population”,⁴² an international humanitarian emergency may be caused by a natural disaster or a human-made event, and can occur suddenly or gradually. According to the Office for the Coordination of Humanitarian Affairs of the Secretariat, as of June 2021, close to 240 million people worldwide faced hunger, armed conflict, displacement and the impacts of climate change and the COVID-19 pandemic and required immediate humanitarian assistance.

397. The onset of COVID-19 in 2020, together with an increasing number of disasters caused by climate change and armed conflict, not only significantly increased the number of persons requiring humanitarian assistance but also greatly compounded the risks in the humanitarian operating landscape. The latest estimates by the Office for the Coordination of Humanitarian Affairs suggest that the number of the most vulnerable people in June 2021 rose by 200 per cent when compared with 2015. As armed conflicts and disasters become more unpredictable, frequent and protracted in nature, humanitarian operations have also become much more complex and difficult. This trend is unlikely to abate any time soon, as more localized emergency situations continue to be fuelled by greater

⁴²Mark Anderson and Michael Gerber, “Introduction to humanitarian emergencies”, in *Health in Humanitarian Emergencies: Principles and Practice for Public Health and Healthcare Practitioners*, David Townes, ed. (New York, Cambridge University Press, 2018).

political tensions and unexpected climate change in different parts of the world.

398. Along with the notable increase in the demand for humanitarian assistance, the demand for quality essential care in humanitarian settings has also risen considerably. In particular, with the protracted nature of the events in these settings, greater emphasis is being placed on the provision of quality essential care to displaced populations. Palliative care, pain management, surgical care and anaesthesia, and mental and psychological support are important components of the immediate assistance required in humanitarian settings.

399. A number of internationally controlled substances, for instance, morphine, diazepam and phenobarbital, which are listed by WHO as essential medicines and are often included in emergency health kits, are vital for pain management, palliative care, surgical care and anaesthesia and the treatment of mental health and neurological conditions. Others, such as fentanyl and midazolam, are used in many countries to treat patients admitted to intensive care units with COVID-19. Unfortunately, the timely supply of these controlled substances to sites of humanitarian emergencies is often impeded by the additional administrative requirements for their import and export, with some even being taken out of emergency health kits so as to minimize the possible delays that their presence may cause to the provision of humanitarian assistance.

400. The international community has long noted the urgent need for a practical solution to this obstacle. The Model Guidelines for the International Provision of Controlled Medicines for Emergency Medical Care, published by WHO in 1996, represented the first concerted effort to expedite the supply of controlled substances during emergency situations through simplified control measures. During emergency situations, for instance, those that arose as a result of the explosion in Beirut in August 2020, the severe impact of the COVID-19 pandemic in Brazil and India and the earthquake in Haiti in August 2021, competent national authorities may permit the export of controlled substances in the absence of the corresponding import authorizations and/or estimates. Furthermore, estimates for controlled substances in urgent deliveries may be submitted by the exporting country instead of the importing country.

401. Since the beginning of 2020, when an increasing number of countries were declaring national emergencies relating to COVID-19, the effectiveness of simplified control measures has been tested. A review and discussion of the lessons learned in their implementation among competent authorities, international humanitarian

organizations and related United Nations agencies were conducted by INCB during two online meetings held on 18 and 19 March 2021. The outcome document of those meetings, entitled “Lessons from countries and humanitarian aid organizations in facilitating the timely supply of controlled substances during emergency situations”, contains important actions that Governments can take to improve their emergency preparedness and sets out procedures that they can follow during emergency situations. **Specifically, Governments are strongly encouraged to review existing national legislation on controlled substances and make amendments and/or adopt new provisions that allow for greater flexibility in the import and export of controlled substances during emergency situations, with clear specifications of the conditions under which such flexibility can be exercised. All relevant front-line workers responsible for the delivery of controlled substances should also be made aware of the emergency procedures and be trained in their use.**

402. In recognition of World Humanitarian Day 2021, and given that access to controlled substances in humanitarian emergencies remains constrained, INCB, UNODC and WHO issued a joint statement on 8 September 2021 calling for a collective effort to facilitate the timely supply of controlled substances during humanitarian crises. In an increasingly complex and uncertain world, in which controlled substances remain vital in the provision of quality essential care to affected populations, more effective inter-agency collaboration is crucial. Together with the help of international humanitarian organizations and other United Nations agencies, the Board will continue to monitor and review the implementation of simplified control measures during emergency situations, so as to ensure the timely supply of controlled substances to alleviate the pain and suffering of the most vulnerable.

4. Manufacture and proliferation of fentanyl analogues

403. Fentanyl and fentanyl analogues continue to drive increases in the number of overdose deaths attributed to synthetic opioids in Canada and the United States. However, the role of fentanyl analogues in overdose deaths is often undetected and thus underreported, as the identification of such analogues requires specialized toxicology testing. According to the latest statistics published by the Centers for Disease Control and Prevention in the United States, 100,306 overdose deaths were recorded in the 12-month period ending in April 2021. Overdose deaths from opioids were estimated to have increased to 75,673 during that period, up from 56,064 the year before,

and overdose deaths from synthetic opioids (primarily fentanyl) also increased.

404. In a study published in 2021 of post-mortem forensic cases over the four-year period 2017–2020 in the United States, it was found that carfentanil, a fentanyl analogue approximately 10,000 times more potent than morphine and 100 times more potent than fentanyl (scheduled in 2018 under the 1961 Convention as amended), and 3-methylfentanyl, a fentanyl analogue with an estimated potency 400 to 6,000 times greater than that of morphine, were circulating on the illegal drug market, in particular in the north-east of the country.⁴³ Another study in the United States found that, in 2016 and 2017, a fentanyl analogue had been detected in 20.6 per cent of overdose deaths,⁴⁴ with carfentanil being linked to a substantial portion of such deaths. The rising prevalence of fatalities associated with fentanyl in Canada indicates that lethal fentanyl and fentanyl analogue use has spread outside the country's major urban centres into rural and isolated parts of the country (mostly concentrated in western Canada, primarily British Columbia, and moving east, centring in Ontario). In Yukon, for example, opioid deaths doubled in 2020 compared with 2019, with 80 per cent involving fentanyl.

405. The number of deaths linked to fentanyl and fentanyl analogues in Europe may have been underestimated. In England and Wales in 2017, the majority of the 51 drug-related deaths recorded as involving NPS were associated with fentanyl analogues. In 2017, 77 per cent of NPS with opioid effects reported for the first time to the European Union early warning system were fentanyl derivatives. The Government of Scotland reported that opioids had been involved in 89 per cent of overdose deaths in Scotland in 2020. In October 2021, EMCDDA reported that case-based data communicated to the European Union early warning system had documented over 250 deaths in which fentanyls and other new opioids were implicated.

406. The mixing of synthetic opioids with other substances, in particular heroin, has been correlated with an increased number of opioid deaths in parts of the United States. The ongoing COVID-19 pandemic and the associated border closures, which have affected trafficking routes from Latin America and South-West and South-East Asia and resulted

⁴³Carolina Noble and others, "Detection of two potent synthetic opioids carfentanil and 3-methylfentanyl in forensic investigations during a four-year period 2017–2020", *Emerging Trends in Drugs, Addictions, and Health*, vol. 1 (2021).

⁴⁴Julie O'Donnell and others, "Notes from the field: overdose deaths with carfentanil and other fentanyl analogs detected – 10 states, July 2016–June 2017", *Morbidity and Mortality Weekly Report*, vol. 67, No. 27 (July 2018).

in heroin shortages, could lead to the adulteration or substitution of heroin with more harmful synthetic opioids, including more potent fentanyl analogues.

407. Given that the proliferation of fentanyl analogues more potent than fentanyl are increasingly linked to a substantial proportion of deaths resulting from synthetic opioid overdose in localities severely affected by the global opioid crisis, **the Board encourages Governments to direct more attention at the national level towards monitoring new fentanyl analogues in circulation and testing for fentanyl analogues in overdose toxicology examinations.** These efforts should provide a better picture of the prevalence of fentanyl analogues in the supply of synthetic opioids and help track their proliferation, while also helping to monitor the potency and risks associated with new fentanyl analogues.

408. In the United Kingdom, all substances with a psychoactive effect not already controlled under the Misuse of Drugs Act 1971 are illegal under the New Psychoactive Substances Act 2016; all unscheduled fentanyl analogues intended for recreational use are effectively banned. While this legislation has been found to be effective in eliminating the open sale of analogues of controlled substances and reducing the consumption of such analogues within the population, it has been recommended that the controls be extended to other analogues and precursors.

409. In 2018, the Drug Enforcement Administration of the United States ordered the temporary ban of all fentanyl-related substances, a ban that was later extended by the United States Congress in 2021 and is still in effect to date. Despite the ban and generic drug law regulations for fentanyl analogues, analogues such as carfentanil and 3-methylfentanyl are still frequently found mixed with heroin or fentanyl. Moreover, the emergency class-wide scheduling of fentanyl analogues has been linked to the recent increase in the circulation of novel synthetic opioids not chemically related to fentanyl.

410. In 2019, the Government of China enacted legislation to control all fentanyl-related substances. The legislation criminalized the unlawful manufacture, export and sale of all fentanyl analogues. As noted by the Board in its report for 2020, this led to a sharp drop in the amount of fentanyl-related substances of alleged Chinese origin being seized globally. Together, the controls instated by China and the United States led to a decrease in the amounts of newly identified fentanyl analogues seized globally from 2018 onwards.

411. Despite these steps, in a 2021 report by the United States-China Economic and Security Review Commission,

it was claimed that China-based fentanyl traffickers used several methods to circumvent the ban and conceal their illicit activities. Such methods include altering the name of the substance or displaying only an image and operating on password-encrypted websites, private groups on social media and messaging applications that connect illicit fentanyl consumers and sellers while avoiding detection by law enforcement authorities in China and the United States,⁴⁵ resulting in highly flexible supply chains. China has taken several practical steps to address exploitation of the industry by traffickers and tackle online fentanyl sales. Measures introduced include the class-wide scheduling of fentanyl and related substances, the investigating of online sales and mandating the postal and parcel industry to take specific measures aimed at combating trafficking in those substances.

412. Because of the potency of many fentanyl analogues, manufacturers often traffic them in small quantities, anonymously exploiting freight forwarders and postal or express courier services to ship them in small packages across the world. E-commerce platforms and the darknet may also be exploited by vendors marketing fentanyl analogues through the use of a variety of techniques to evade screening and detection by platform administrators. **The Board encourages Governments to work with the GRIDS Programme and its public-private partnership initiative to engage relevant industry sectors with the goal of voluntarily identifying, preventing and eliminating vendors attempting to exploit legitimate industry for the purposes of trafficking in dangerous substances not under international control.**

413. Different regions could also be at risk of becoming hotspots for the illicit manufacture of highly potent fentanyl analogues, as indicated by recent seizure data. The seizure by police in Myanmar of a large amount was considered by UNODC as a cause for concern, and the Office issued a warning that countries in South-East Asia were well positioned to produce synthetic opioids. Similarly, the Drug Enforcement Administration of the United States has warned that the production of fentanyl-related substances could expand beyond identified source countries because fentanyls, their precursors and their analogues have no geographical source boundaries, unlike many non-synthetic substances of abuse.

414. To assist Governments in their efforts to address this problem, INCB maintains a list of over 140 fentanyl-related substances with no current medical, industrial or

other legitimate uses. **The Board invites Governments and industry partners to use the list as a practical tool to facilitate actions to counter the manufacture, marketing, movement and monetization of the substances on the list.**

415. **The Board encourages Governments to make full use of the IONICS online communication platform.** IONICS is dedicated to real-time communication of incidents involving suspicious shipments, including fentanyl analogues. IONICS users can analyse intelligence related to the manufacture and distribution of fentanyl-related substances with no known medical use, along with information on other suspicious substances. Coordination between law enforcement focal points has resulted in the identification of transnational distribution networks of dangerous substances.

Role of precursors

416. One reason for the proliferation of fentanyl analogues is the fact that they can be manufactured in several ways. This is coupled with the practical difficulties in controlling the various precursor chemicals for such manufacture. Prior to 2017, illicitly manufactured fentanyl was suspected of being synthesized from NPP or ANPP using the so-called Siegfried method. Both chemicals were placed in Table I of the 1988 Convention as of 18 October 2017. However, as early as 2018, traffickers had already started to seek alternatives to those chemicals.

417. Results from forensic impurity profiling now suggest a shift to alternative synthesis methods that do not rely on NPP or ANPP. Instead, several non-scheduled chemicals and pre-precursors, as well as precursors and chemical intermediates used in the synthesis of fentanyl, have been reported. Another trend has been trafficking in chemically masked fentanyl precursors.⁴⁶ However, trafficking trends in relation to non-scheduled fentanyl precursors are difficult to discern because of the potency of the end products and the correspondingly small size of precursor consignments. Further, as in the case of fentanyl analogues, the Internet has been used in the trafficking of these fentanyl precursors; several have been found listed on online business-to-business platforms.

418. Apart from the shift to non-scheduled chemicals, another trend that has supported the proliferation of

⁴⁵Lauren Greenwood and Kevin Fashola, "Illicit fentanyl from China: an evolving global operation", Issue Brief (Washington, D.C., United States-China Economic and Security Review Commission, 2021).

⁴⁶Chemically masked precursors are derivatives of controlled precursors. They are chemicals that are not under international control but that can be converted easily into the corresponding controlled precursor; the concept of masked precursors is based on what is known in organic synthesis as protection group chemistry.

fentanyl has been the shift to new regions and territories to source the precursors. In 2018, India was identified as a possible source of fentanyl following the seizure of 11 kg of the substance at an illicit laboratory. The consignment was destined for Mexico and the seizure led to the identification and arrest of Indian and Mexican nationals. Subsequently, in December 2018, 100 kg of the precursor NPP was seized, again in India. The consignment was also destined for Mexico.

419. In response to those developments, which follow the pattern observed in relation to other controlled precursors, some countries have strengthened national controls on fentanyl precursors, which are often generic in nature. The group scheduling of fentanyl-related substances by China also covers a group of substances that could be used as precursors of fentanyls (benzylfentanyls). Canada introduced national controls over three precursors of fentanyl and fentanyl analogues (ANPP, NPP and benzylfentanyl) under an extended scope of control that also includes the derivatives and analogues of those substances. Similarly, the Government of the United States controls the fentanyl precursor 4-AP and some of its chemically protected derivatives, as well as benzylfentanyl and norfentanyl. In view of the risks associated with fentanyl and fentanyl analogues, in 2020, the Advisory Council on the Misuse of Drugs of the United Kingdom recommended that consideration be given to expanding precursor control to cover simple variants of ANPP. In October 2021, the Government of the United States proposed that three precursors of fentanyl be included in the tables of the 1988 Convention (see para. 67 above). Other countries that have enhanced controls over fentanyl precursors include India and Mexico. However, the extent and scope of such controls vary from one country to another.

420. To assist Governments in their efforts to address this problem, INCB closely monitors developments and has continuously updated its limited international special surveillance list, which is a list of chemicals not under international control but which have been frequently reported in illicit drug manufacture, to include precursors of fentanyl and fentanyl analogues. The list is aimed at alerting authorities and relevant industry sectors to the possible misuse, in illicit drug manufacture, of chemicals on the list and at facilitating public-private cooperation. Since 2013, the list also includes “extended definitions”, namely, substances closely related to those under international control. Several non-scheduled precursors of fentanyl and of fentanyl analogues are included in it. Further, PICS provides a secure, web-based platform for the sharing of information and trafficking incidents related to precursors, including internationally

non-scheduled chemicals. **The Board encourages Governments to make full use of its tools and resources such as the limited international special surveillance list and PICS to prevent diversion of and trafficking in non-scheduled precursors, including fentanyl precursors.**

421. The Board has highlighted the issue of non-scheduled chemicals and designer precursors in the illicit manufacture of drugs, including of fentanyl and its analogues, in its annual reports, its reports on the implementation of article 12 of the 1988 Convention and a conference room paper for the Commission on Narcotic Drugs at its sixty-third session, as well as during its operational activities. **The Board strongly advocates taking concrete action at the global level to address this issue and has supported several initiatives in this regard, including the development of practical tools for Governments to use.**

5. Coping with the challenging evolution of chemical precursors

The 1988 Convention and the precursor control system

422. The framework for the international control of precursors was established by the 1988 Convention, in particular article 12 thereof. Today, the Convention enjoys near-universal adherence. In addition, the Economic and Social Council and its subsidiary body the Commission on Narcotic Drugs have issued a number of resolutions reiterating the provisions and expanding the framework of control of the Convention.

423. The 1988 Convention illustrates the commitment of Governments to the principle of shared responsibility and regulatory controls to ensure the availability of chemical substances for legitimate purposes while preventing their use in the illicit manufacture of narcotic drugs and psychotropic substances. More than 30 years after the Convention entered into force (in November 1990), there are clear signs that enhanced precursor controls are achieving effective results through appropriate national regulatory frameworks. Nevertheless, there is a need for more comprehensive and systematic implementation of the Convention’s provisions by Governments, and there are new challenges that have become increasingly important in a changing world.

424. Currently, adding a chemical to the tables of the 1988 Convention is the only mechanism for subjecting it to a legally binding framework at the global level.

Importantly, the scheduling process (notification, assessment by the Board and decision by the Commission on Narcotic Drugs) applies only to individual substances. It needs to be restated that the goal of the process is not the outright banning of a given substance but rather the implementation of enhanced controls to ensure that international movements do not hide illicit purposes.

Challenges to international precursor control: non-scheduled substances

425. The issue of non-scheduled chemicals has gained importance over the past decade, with major increases in the sophistication, diversification and scale of illicit drug manufacturing operations. There are virtually no limitations to the range of chemicals and manufacturing methods that could potentially be employed in illicit drug manufacture, especially synthetic drug manufacture; they include chemicals and manufacturing methods previously considered unusable in illicit settings. In terms of supply, chemicals fall broadly into two categories:

(a) Chemicals that are available off the shelf and are traded regularly for legitimate purposes. Such chemicals include benzaldehyde, methylamine and esters of phenylacetic acid;

(b) Designer precursors that are purpose-made, close chemical relatives of controlled drugs or precursors and can be easily converted into those controlled substances. They usually have no legitimate use and are therefore not traded widely or regularly.

426. With few exceptions, all recent assessments undertaken by the Board for scheduling under the 1988 Convention were of designer precursors. This development started with *alpha*-phenylacetonitrile, the international scheduling of which in 2014 coincided with the emergence of *alpha*-phenylacetamide, a chemical subsequently placed under international control, in 2019. More recently, methyl *alpha*-phenylacetate (methyl 3-oxo-2-phenylbutanoate), a close chemical relative and pre-precursor of amphetamine and methamphetamine, was placed under international control as of 3 November 2020. A similar development appears to have begun in the area of fentanyl precursors. Following the international scheduling of NPP and ANPP in 2017, a number of non-scheduled chemicals, including designer precursors of fentanyl and a few of its analogues, have emerged.

427. Since 2014, the Board has been drawing attention to the challenges that the proliferation of non-scheduled chemicals, including designer precursors, pose to

international drug control efforts, and has prepared several policy and guidance documents, including:

(a) Thematic chapters on precursors in the reports of the Board for 2014 and 2018 on the implementation of article 12 of the 1988 Convention;⁴⁷

(b) A conference room paper for the Commission on Narcotic Drugs at its sixty-third session, held from 2 to 6 March 2020, entitled “Options to address the proliferation of non-scheduled chemicals, including designer precursors – contribution to a wider policy dialogue”;⁴⁸

(c) A draft option paper that provides a list of practical and concrete measures and approaches that Governments could consider implementing to address the proliferation of non-scheduled chemicals and designer precursors through national action and international cooperation. The paper was disseminated to Governments in August 2021 to help advance the policy dialogue on the matter and was adopted by the Board as a guidance document in November 2021.

428. These documents reflect the evolution of information exchange and good practices gathered as part of a series of events convened or supported by INCB (see figure XII below).

429. The Board has also developed technical tools and materials, which are available on the INCB website to competent national authorities and which are aimed at enhancing the capacity of national law enforcement and regulatory authorities to identify and address the ever-growing range of non-scheduled chemicals.

Options for addressing the proliferation of non-scheduled chemicals and designer precursors

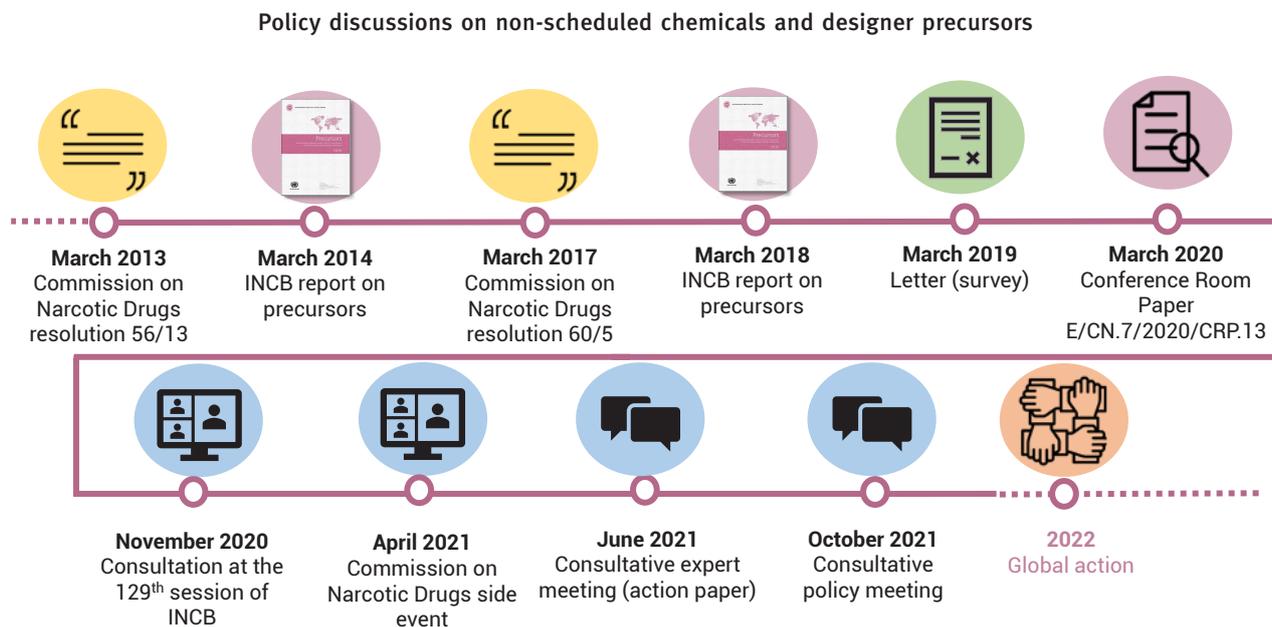
International legal framework

430. The 1988 Convention provides guidance for the development of national legislation to address non-scheduled chemicals and designer precursors. In the past, as explained in paragraph 427 (a)–(c) above, INCB has pointed to the applicable provisions, namely article 13 (Materials and equipment), especially when applied together with article 3 (Offences and sanctions), article 12, paragraph 8 (on the monitoring of domestic manufacture

⁴⁷E/INCB/2014/4 and E/INCB/2018/4.

⁴⁸E/CN.7/2020/CRP.13.

Figure XII. Milestones in the policy discussion on non-scheduled chemicals and designer precursors



and distribution), and article 24 (Application of stricter measures than those required by the Convention). In addition, article 12, paragraph 13, of the Convention provides for the periodic review by the Commission on Narcotic Drugs of the adequacy and propriety of Tables I and II, which list and provide for the control regime of substances. Options for addressing non-scheduled chemicals at the national level are also summarized in various Commission resolutions, including resolutions 56/13 and 60/5.

431. INCB has encouraged Governments proposing the scheduling of a chemical to consider the scope of control so that closely related substances can also be considered under the same regime. In 2018, the Board itself did so when it submitted a complementary notification on the international scheduling of 3,4-MDP-2-P methyl glycidic acid (“PMK glycidic acid”) in connection with the notification by the Government of Argentina on the scheduling of the ester and sodium salt of that substance. In addition, INCB has recommended and supported measures to increase the speed of the international scheduling process by using, *inter alia*, a scaled-down assessment questionnaire for designer precursors with no known legitimate uses and a shorter deadline for submitting responses.

National legislation, measures and approaches

432. Important elements of action to address non-scheduled chemicals are measures and legislation at the

national level. A distinction needs to be made in this regard between chemicals that are not controlled internationally under the 1988 Convention but that are under national control, and emerging chemicals that are not controlled at either the national or the international levels. From the replies received to a survey sent in 2019, the Board is aware that many Governments have no legal basis to act with respect to chemicals in the second category, being able to act only with respect to chemicals that are already under national control.

433. In response to the same survey, some Governments reported the following strategies for overcoming the absence of legal provisions applicable to particular non-controlled chemicals: (a) treating non-scheduled chemicals as “materials” within the meaning of articles 3 and 13 of the 1988 Convention; (b) treating the use of non-scheduled chemicals as a preparatory act or an act of assistance in the commission of a drug-related offence; (c) seizing such chemicals as evidence in the investigation and prosecution of other drug-related offences; and (d) applying sanctions and seizing non-scheduled chemicals for violation of customs law in the case of mislabelling or misdeclaration.

434. Despite the challenges, INCB is aware of practical and innovative national approaches. These approaches include: (a) adding the chemicals concerned to national lists of controlled chemicals; (b) subjecting the chemicals to an extended scope of control that also includes derivatives and analogues, similar to the approach taken for the

generic scheduling of drug end products; and (c) prohibiting the import, export, transport or possession without a permit of chemicals that can be easily converted into a drug or drug precursor and for which no legitimate industrial uses are known.

435. The urgency of addressing the issue was acknowledged by the European Commission in November 2020 during its evaluation of the drug precursor policy of the European Union and the subsequent establishment of an ad hoc expert working group comprising licensing authorities, customs authorities, police forces, forensic laboratories, judicial authorities and the chemical and pharmaceutical industries.

International cooperation, exchange of information and intelligence

436. Exchange of intelligence and actionable information by law enforcement authorities is essential in identifying links between cases, launching backtracking investigations (including for non-criminal cases) and preventing future cases involving non-scheduled chemicals using similar *modi operandi*. The Board promotes such exchange through Project Prism and Project Cohesion and with the help of PICS, but there is still uneven participation in these initiatives between regions and countries.

437. In order to foster and enhance cross-border cooperation, the Board has recommended a more active approach, by means of which government authorities inform their counterparts in transit and destination countries more systematically about known outbound shipments containing non-scheduled chemicals, so that the receiving authorities can anticipate and take action on incoming shipments. In many cases, substances that are not scheduled at the international level may be controlled at the national level, which facilitates enforcement action. The INCB information package on the control of precursors, available to government officials on the secure website of the Board, provides a list of substances that are not listed in Tables I or II of the 1988 Convention but that are controlled domestically in different countries.

438. As a specific contribution to improving the knowledge of the landscape of non-scheduled chemicals and building on the fact that certain chemicals not under international control are controlled nationally in some countries, the Board is looking to make available a tool to interested Governments for the exchange, on a voluntary basis, of information about planned exports of chemicals under national control but not under international control. The new tool would expand upon and

complement the Board's PEN Online system, which is used to exchange information about planned shipments of chemicals listed in Tables I and II of the 1988 Convention.

Public-private partnerships

439. Public-private partnerships have come to play an increasingly significant role in global precursor control. The basic concept of such partnerships is enshrined in article 12, paragraph 9 (a), of the 1988 Convention, which requires Governments to apply any system to monitor international trade in substances in Tables I and II of the Convention in close cooperation with manufacturers, importers, exporters, wholesalers and retailers, who are to inform the competent authorities of suspicious orders and transactions. INCB has recommended that suspicious cases and denied requests or orders should also be communicated to it, as part of a global alert mechanism.

440. In contrast to public-private cooperation related to controlled chemicals, cooperation related to non-scheduled chemicals is voluntary in nature and requires the involvement of a wider range of industries and operators. The Board has highlighted cooperation with industry as an essential component of any national approach to addressing the proliferation of non-scheduled chemicals and designer precursors. As there is a risk that companies operating at the edge of legality through the supply of these substances may benefit from such cooperation, it is essential for national authorities and manufacturers to understand the functioning of local markets and to maintain an overview of legitimate enterprises. **The Board encourages Governments to secure the cooperation of the private sector, subject to domestic legislation, to prevent the marketing and sale of non-scheduled chemicals and designer precursors over the Internet, including on social media platforms, on a voluntary basis.**

441. The Board's limited international special surveillance list of non-scheduled substances⁴⁹ is an important component of Governments' voluntary cooperation with industry. The list contains 56 individual chemicals that are known to be used as alternatives to controlled substances in illicit drug manufacture. Since 2013, it has also included extended definitions that capture common derivatives and other closely related chemicals that can be converted into scheduled precursors by readily applicable means. The list was further updated in 2019 to include chemicals that do not have any known legitimate

⁴⁹The Board established the list in 1998, pursuant to Economic and Social Council resolution 1996/29. The list is available as part of the Board's information package on the control of precursors and is regularly updated.

uses, with a view to providing Governments with a tool to put incidents involving such substances in context and to take the necessary action.

Technical assistance, capacity-building and awareness-raising

442. Given the technical complexity of non-scheduled chemicals and despite the Board's efforts over the past decade, there is a continued need for awareness-raising and capacity-building to address the proliferation of non-scheduled chemicals and designer precursors at the global level. Specifically, and considering the absence of legislation, the awareness-raising and training of criminal justice practitioners, in particular prosecutors and judges, on the specificities of drug-related crime involving synthetic drugs and precursors, including the role of non-scheduled chemicals and designer precursors, are critically important.

The way forward: the international precursor control system – a living mechanism

443. The 1988 Convention was developed and adopted more than three decades ago, on the basis of the situation that prevailed at the time it was drafted. On several occasions, the Board has stated that, in its opinion, to make the precursor control system fit for the twenty-first century, there is a need to refocus international precursor control by placing more emphasis on preventive action (industry cooperation and domestic controls) and law enforcement action (stopping or seizing shipments of chemicals that are known to be or suspected of being used for illicit purposes).

444. In order to deal with series of chemically related substances and with substances that do not have legitimate uses and/or are not traded regularly for legitimate purposes, it is important to consider approaches that allow intervention in suspicious cases without requiring the application of all regulatory control measures, which might overburden authorities and industry alike.

445. A number of options are now available, including those that build upon national experiences, measures and approaches designed to control national markets and movements of substances. Recent examples of voluntary scheduling at the national level have been provided by Canada, China, India, Mexico and the United States. These approaches have proved to be greatly effective and efficient in the interim period.

446. The Board trusts that its contributions and the consultative process that it has facilitated over the past two years will lead to a set of concrete, practical actions that are agreed widely and enable the international community to reach consensus on a mechanism to prevent non-scheduled chemicals and designer precursors from reaching illicit laboratories, thus preventing the proliferation of drugs, NPS and synthetic opioids, while minimizing the associated administrative burden. The Board looks forward to continued collaboration with Governments to further advance the issue.

B. Africa

An increasing number of countries in Africa are permitting the cultivation of cannabis for medical or scientific purposes. Of those countries, some have authorized the use of cannabis for medical purposes domestically, while others allow cultivation only for export.

Determining the extent of drug use in Africa continues to be impeded by the limited amount of available information and prevalence data. Nonetheless, owing to demographic changes, the number of people who use drugs in Africa is projected to rise by 40 per cent by 2030.

1. Major developments

447. More countries in Africa are permitting the cultivation of cannabis for medical, scientific or industrial purposes. Among countries in the region that permit the cultivation of cannabis for such purposes, some permit cultivation only for export, while others allow the use of cannabis for medical purposes domestically. For 2022, three countries in Africa have submitted estimates to the Board on the cultivation or use of cannabis for medical and scientific purposes.

448. On the basis of current prevalence rates, drug use in Africa is projected to rise by 40 per cent by 2030, according to UNODC. The increase is attributed to demographic changes over the decade as the population is comparatively young and the rate of drug use is higher among younger people. In addition, it is projected that the population of Africa will grow more rapidly than that of other regions.

449. Trafficking in cocaine continues to pose a major challenge to Africa, in particular North and West Africa, with the region being used as a trans-shipment hub along

the trafficking route into Europe. In 2021, Algeria, Côte d'Ivoire, the Gambia, Morocco and South Africa reported seizing record quantities of cocaine along trafficking routes originating in South America. Most of the interdictions occurred in seaports or on cargo ships in the territorial waters of countries in North and West Africa.

2. Regional cooperation

450. In October 2020, the African Union, with the support of the UNODC Regional Office for Eastern Africa, launched the *Compendium of Good Practices on Drug Use Prevention, Drug Use Disorders, Treatment and Harm Reduction*. Key policies, programmes and other actions taken by countries from across the region are highlighted in the compendium, with an overview of the outcomes and lessons learned. It is expected that the compendium will help guide other countries in the region to develop policies or programmes to address their specific drug-related challenges.

451. Between 29 November and 19 December 2020, 13 countries from the region, namely Angola, Benin, Burkina Faso, Côte d'Ivoire, Ghana, Kenya, Libya, Mali, Mauritius, Nigeria, Senegal, Tunisia and the United Republic of Tanzania, participated in INCB Operation New Horizons, which was aimed at identifying key sources and redistribution points of tapentadol and tramadol. The objective was to identify and ultimately dismantle manufacturing, marketing and distribution points through the exchange of actionable intelligence. The operation brought together 164 officers representing 70 Governments and four international partners.

452. In December 2020, 10 African countries participated in an INCB Learning seminar with the aim of strengthening their compliance with the three international drug control conventions. Officials from Burkina Faso, Cameroon, the Central African Republic, the Democratic Republic of the Congo, Gabon, Guinea, Morocco, the Niger, Senegal and Togo participated in the online capacity-building seminar. Government officials had an opportunity to further enhance their capacity in terms of monitoring and reporting on the licit trade in narcotic drugs, psychotropic substances and precursor chemicals, as well as in the use of I2ES.

453. UNODC launched its Strategic Vision for Africa 2030 in February 2021. The plan defines five areas of investment: (a) promoting health through balanced drug control; (b) securing the safety of people from organized crime, terrorism and violence; (c) protecting Africa's resources and livelihoods; (d) safeguarding people and

institutions from corruption and economic crime; and (e) making criminal justice systems more effective and accountable. In terms of the promotion of health through balanced drug control, UNODC seeks to further improve data collection and analysis of drug trends in the region, strengthen countries' responses to drug trafficking, improve countries' responses to drug use and access to controlled substances for medical purposes and improve the region's ability to protect people from falsified medical products. The plan will be reviewed on a biennial basis to assess its progress towards assisting countries in the region in achieving the Sustainable Development Goals.

454. In March and April 2021, INTERPOL coordinated two operations, codenamed "Lionfish", aimed at disrupting drug trafficking in Africa and the Middle East. The operations involved police and customs officials from 41 countries⁵⁰ and resulted in record seizures for the African continent, details of which are included in paragraphs 471 and 472 below.

455. On 14 April 2021, the African Union Commissioner for Health, Humanitarian Affairs and Social Development participated as a key speaker in an INCB Learning online side event on the margins of the sixty-fourth session of the Commission on Narcotic Drugs. The relevance of capacity-building for ensuring adequate access to and availability of internationally controlled substances for medical and scientific purposes, as well as the disproportionate challenges of drug-related problems on the continent of Africa, were highlighted. The correlation between INCB Learning's work and the African Union Plan of Action on Drug Control and Crime Prevention (2019–2023), in particular the second of the nine pillars of the Plan of Action, dedicated to the availability of and access to controlled substances for medical and scientific purposes while preventing their diversion, was also recognized.

456. In May 2021, the ECOWAS Commission held a workshop to validate the report of the West African Epidemiology Network on Drug Use for the period 2018–2019. The report is a follow-up to an earlier report, covering the period 2014–2017, and is aimed at providing guidance and input for policymakers in the subregion. The report highlights the latest estimates and trends on drug use and drug supply and trafficking in falsified

⁵⁰Angola, Bahrain, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cabo Verde, Côte d'Ivoire, Ethiopia, Gabon, Gambia, Ghana, Iraq, Jordan, Kenya, Kuwait, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Oman, Qatar, Rwanda, Saudi Arabia, Seychelles, Sierra Leone, South Africa, State of Palestine, Sudan, Togo, United Arab Emirates, United Republic of Tanzania, Zambia and Zimbabwe.

medical products in West Africa. It is based on data collected by the West African Epidemiology Network on Drug Use national focal points in each ECOWAS member State and Mauritania.

457. The Treaty for the Establishment of the African Medicines Agency entered into force on 5 November 2021, after having been ratified by 15 African Union member States. The African Medicines Agency will aim to enhance regulatory oversight and facilitate access to safe and affordable medicines across the continent.

458. Under the INCB GRIDS Programme, a webinar was delivered to 70 international law and regulatory enforcement officers representing nine member countries from the Communications Regulators' Association of Southern Africa. The participants represented postal regulators, operators, drug enforcement agencies, customs agencies and police forces from Botswana, Eswatini, Lesotho, Malawi, Mauritius, Namibia, South Africa, Zambia and Zimbabwe. Access to and training on the secure communications platform IONICS and the GRIDS Programme intelligence tool were provided. Participants were also given in-depth training and attended awareness-raising sessions on the safe handling of opioids and other dangerous substances in the workplace. Highlighting the key role of postal investigators in preventing trafficking in those substances in the region, many participants raised concerns about increased trafficking through postal channels during the COVID-19 pandemic and recognized the need for Southern African countries to address shared trafficking threats through improved communication and the sharing of best practices.

459. In the context of its partnership with the African Union Commission, representatives of INCB Learning will provide a technical briefing to the Specialized Technical Committee on Health, Population and Drug Control of the African Union at its fourth ordinary session, to be held in 2022. The briefing will be aimed at providing guidance to member States to help address issues related to the availability of narcotic drugs, psychotropic substances and precursor chemicals in Africa.

3. National legislation, policy and action

460. More countries in Africa have revised their national legislation to permit the cultivation of cannabis for medical purposes. Among the countries that permit the cultivation of cannabis for medical purposes, some countries are cultivating for export only, while others allow for the export of cannabis as well as the use of the substance for

medical purposes. For 2022, three countries in Africa have submitted estimates to the Board for the cultivation or use of cannabis for medical and scientific purposes.

461. Several countries in Africa have launched new national drug control plans to address their respective drug control challenges. Beyond the typical drug control concerns of demand and supply reduction, some plans are aimed at better addressing the health consequences of drug use.

462. In December 2020, Zimbabwe released its National Drug Master Plan for the period 2020–2025 and treatment and rehabilitation guidelines on alcohol and substance use disorders. It is noted in the plan that 60 per cent of persons admitted to mental health facilities in the country experience problems with drug use (including alcohol or tobacco). The plan and related guidelines will focus the country's efforts to treat and rehabilitate persons suffering from substance use disorders.

463. In April 2021, Nigeria launched its new National Drug Control Master Plan for the period 2021–2025. Developed with the support of UNODC, the plan is a results-based strategic planning tool for coordinating interventions against the use of and trafficking in drugs and related organized crime in Nigeria. The plan consists of four strategic pillars: (a) supply reduction; (b) drug demand reduction; (c) access to controlled medicines for medical and scientific purposes; and (d) governance and coordination. Implementation of each of these pillars is linked to at least one ministry, department or agency in the Government of Nigeria. The main goal of the plan is to contribute to improving the health and security of Nigerians, in the knowledge that drug use not only affects the user but also has wider consequences for families, communities and the nation.

464. Zambia enacted three new laws overhauling the country's drug control legislation and putting a formal legal framework in place to allow for the cultivation of cannabis for medical, scientific and industrial purposes. The Cannabis Act, 2021, establishes the legal framework to permit the cultivation and distribution of and trade in cannabis containing more than 0.3 per cent of *delta*-9-THC. The Industrial Hemp Act, 2021, puts in place a framework similar to that of the Cannabis Act but for cannabis containing no more than 0.3 per cent of *delta*-9-THC. The Narcotic Drugs and Psychotropics Substances Act, 2021, replaces the 1993 drug control law of the same name. The objectives of the new Act include revising and consolidating the law relating to narcotic drugs, psychotropic substances and precursor chemicals, as well as providing for special measures relating to the prevention and

treatment of drug use and the rehabilitation of persons who use drugs.

465. The Department of Agriculture, Land Reform and Rural Development of South Africa introduced the country's Cannabis Master Plan to the National Economic Development and Labour Council ahead of plans to begin issuing licences for the licit cultivation of "hemp" in October 2021. The plan also forecasts that the Cannabis for Private Purposes Bill, tabled in the country's Parliament in September 2020, would be promulgated by the Government during the fiscal year 2022/23.

466. Rwanda began allowing the cultivation of cannabis for medical purposes but reaffirmed that consumption for recreational purposes remained prohibited. A ministerial order issued jointly by the Minister of Health and Minister of Justice outlines the regulatory framework under which the cultivation, transport, import, export and distribution of cannabis are permitted. The order also allows for the use of cannabis products for medical purposes in Rwanda, but only under prescription by a specialist medical doctor.

467. Morocco authorized the cultivation of cannabis for medical and industrial purposes. Bill 13.21, initially tabled in the Parliament in March 2021, will create a national cannabis agency and a regulatory framework to allow the cultivation of cannabis for export and for medical use in Morocco, subject to the country's regulations on medicines.

468. The Narcotics, Drugs and Psychotropic Substances (Control) (Amendment) Act, 2020, was passed by the National Assembly of Kenya and is now awaiting presidential approval. The Act amends the penalties associated with the possession of and trafficking in drugs and strengthens punitive measures against those who operate illicit laboratories. The Act also allows physicians to prescribe controlled narcotic drugs and psychotropic substances for medical purposes when no other medical options are available to the patient. In addition, the Act defines precursors and chemical substances that could be used in the manufacture of narcotic drugs and psychotropic substances, as well as the penalties applicable to persons who manufacture, possess or transport precursor chemicals for the unlawful manufacture of a narcotic drug. The Act also designates the Cabinet Secretary responsible for internal security to make the necessary regulations related to precursor chemicals, including with regard to the scope of controls.

469. **The Board wishes to recall that Governments that permit the cultivation of cannabis plant for the production of cannabis or cannabis resin have an**

obligation to establish control measures in accordance with the 1961 Convention as amended. Such measures include the establishment of an agency responsible for designating areas and issuing licences for cultivating, purchasing and taking physical possession of such crops as soon as possible and having the exclusive right of importing, exporting and wholesale trading and maintaining stocks other than those held by manufacturers. Such measures do not apply to the cultivation of the cannabis plant exclusively for industrial purposes (fibre and seed) or for horticultural purposes.

4. Cultivation, production, manufacture and trafficking

470. Trafficking in drugs continues to pose a major challenge to countries in Africa. The record amounts of cocaine seized along the trafficking route from South America suggest that the region remains a major trans-shipment hub for smuggling the drug to Europe. Illicit cultivation of and trafficking in cannabis within Africa and to Europe appear to have continued at the same rate as previous years, with all countries that provided data reporting seizures of cannabis or cannabis resin. Countries in North Africa reported seizing significant amounts. Trafficking in synthetic stimulants appears to be on the rise in Southern Africa, with more countries reporting seizures of methamphetamine and other synthetic stimulants than in previous years.

471. Africa continues to be used as a transit region for cocaine trafficking from South America to Europe, with most of the trafficking occurring through West and North Africa. Several countries reported seizing record quantities of cocaine during the first half of 2021. For example, the Gambia seized nearly 3 tons of cocaine in January 2021 during a single operation, a record amount for the country. Law enforcement authorities in Côte d'Ivoire seized over 1 ton of cocaine, a record amount, in Abidjan in February 2021. In March 2021, the French Navy seized over 6 tons of cocaine from a cargo ship destined for Abidjan in the Gulf of Guinea in one of the largest drug interdictions ever recorded in that area. In October 2021, authorities in Morocco seized over 1.3 tons of cocaine at the Tanger-Med Port. As part of Operation Lionfish, authorities in South Africa seized 973 bricks of cocaine from a fishing vessel and arrested 10 people. The Algerian coastguard seized nearly 500 kg of cocaine floating in its territorial waters north of the Port of Oran in June 2021, the largest seizure by the country for several years. In July 2021, in two separate interdictions, South Africa reported seizing a total of approximately 1.7 tons. In 2020,

trafficking in cocaine was reported across Africa: Algeria, Benin, Côte d'Ivoire, Egypt, Morocco, Mozambique, Namibia and Tunisia all reported seizures of the drug in that year.

472. Cannabis remains the most-trafficked drug within Africa; it is also trafficked into Europe. In June 2021, the Senegalese Navy reported seizing over 8.3 tons of cannabis resin from a cargo ship off the coast of Dakar. As part of Operation Lionfish in March 2021, the authorities of the Niger seized 17 tonnes of cannabis resin, the largest seizure in the country's history. The drug was seized in warehouses in the capital Niamey and was destined for Libya. According to INTERPOL, there has been a marked increase in drug traffickers using Libya as a transit hub for drugs. North Africa continues to see the most trafficking in cannabis, in particular cannabis resin, with Morocco reporting seizures amounting to over 450 tons during 2020. Trafficking in cannabis herb was reported in Benin, Burkina Faso, Madagascar, Morocco, Mozambique, Namibia and the Sudan. The quantities seized during 2020 varied greatly between countries, with some seizing as little as a few hundred kilograms and others seizing hundreds of tons. Namibia reported seizing an exceptionally high quantity, 843 tons of cannabis herb, during 2020.

473. On the basis of data from countries in 2021, it seems that trafficking in heroin remains a major issue for African countries in the Indian Ocean region. Mauritius regularly reports making seizures of several kilograms of heroin that is trafficked through its airports and seaports. In addition, trafficking in heroin appears to be on the rise in East Africa, to where it is trafficked via the Red Sea. Egypt and the Sudan each reported seizing over 1 ton of heroin from smuggling operations in 2020 and smaller quantities of the drug were reported seized in other regions, with Benin, Madagascar, Morocco, Mozambique and Zambia reporting seizures of between a few grams to several hundred kilograms.

474. Seizures of "captagon" and other synthetic stimulants were reported by more countries in Africa in 2020; Egypt and the Sudan both reported seizing over 14 million "captagon" tablets that year. Trafficking in methamphetamine appears to be on the rise in Southern Africa, with Namibia reporting seizing more of the drug than in previous years and Mozambique reporting seizing several hundred kilograms in 2020.

475. Trafficking in tramadol, a synthetic opioid not under international control, and illicitly manufactured non-pharmaceutical preparations containing that substance, remains a challenge for the region. The Sudan

reported seizures of the substance during 2020 and Nigeria reported seizures during 2021. Trafficking in tapentadol, another synthetic opioid not under international control, was detected in Africa in May 2021 through INCB Operation New Horizons. The emergence of large-scale tapentadol trafficking was identified, with packaging and modi operandi bearing a striking resemblance to that of trafficked tramadol.

476. The African continent has not been spared from the emergence of non-scheduled chemicals, including designer precursors, as evidenced by seizures of acetantranyl, a designer precursor of methaqualone. So far, evidence relating to trafficking in acetantranyl and its use in illicit drug manufacture has been reported only in South Africa; however, other non-scheduled substances might also be used in the illicit manufacture of methaqualone or other drugs in other countries in Africa. A comprehensive review of the situation with respect to the control of precursors and chemicals frequently used in the illicit manufacture of narcotic drugs and psychotropic substances in Africa can be found in the report of the Board for 2021 on the implementation of article 12 of the 1988 Convention.

5. Prevention and treatment

477. Determining the extent of drug use in Africa continues to be impeded by the lack of available information and prevalence data. This lack of data hinders the region's ability to determine the scope and consequences of drug use. It also hinders Governments and the international community as they seek to respond effectively through evidence-based drug use prevention and treatment programmes. Nonetheless, the limited data available suggest that drug use rates continue to increase.

478. The Board reiterates its call to all States in the region to develop mechanisms to improve the collection of information on drug use prevalence, with the aim of developing drug use prevention and treatment strategies that are based on evidence and tailored to each country's specific needs.

479. According to UNODC, drug use in Africa – assuming unchanged prevalence rates – is projected to rise 40 per cent by 2030, accounting for most of the expected 11 per cent increase in drug use globally by that date. The increase in Africa is attributed to expected demographic shifts over the coming decade, given the expected high growth rate of the region's population and the fact that younger people tend to consume more drugs than older people. UNODC anticipates that existing drug challenges

in Africa, including the use of cannabis and the non-medical use of tramadol, are likely to be exacerbated by an increased number of people who use drugs. In addition, trafficking and manufacturing patterns are expected to shift to meet the increased demand for drugs in the region.⁵¹

480. In April 2021, authorities in Kenya released two publications related to rehabilitation and social integration for its Department of Children's Services: (a) "Assessment of rehabilitation and social reintegration programmes, services and practices for children in conflict with the law in Kenya"; and (b) "Blueprint for rehabilitation and social reintegration programmes for children in conflict with the law in Kenya". The assessment report describes the juvenile justice system in Kenya and examines the contribution of key agencies in the system. Particular attention is paid to offences related to drug and substance use and to the growing trend of the involvement of girls in crime. The blueprint provides a framework within which rehabilitation and reintegration programmes should be implemented in each institution within the juvenile justice system. The objectives of the blueprint are to promote structured and institutionalized rehabilitation and reintegration programmes for children in conflict with the law, harmonize programmes, practices and services across institutions in the child justice system, provide a framework within which rehabilitation and reintegration are streamlined in the entire continuum of the child justice system and enhance coordination among the agencies involved in rehabilitation and reintegration processes.

481. In Mozambique, the number of persons with substance use disorders seeking treatment increased by 7.9 per cent, from 9,065 in 2019 to 9,788 in 2020. The year-on-year increase is attributed to social isolation brought about by the COVID-19 pandemic. Including alcohol and tobacco, the prevalence of drug consumption in Mozambique in 2020 was 84.95 per cent for men and 15.05 per cent for women.

482. Data for 2020 from Benin indicate that cannabis is the most commonly used drug in the country, after alcohol, and that tramadol is the most commonly used pharmaceutical product. The data also reflect high rates of polydrug use among those who use drugs, with most users consuming at least three different drugs (including alcohol).

483. As of November 2021, the United Republic of Tanzania had established 11 opioid substitution therapy

centres and four satellite clinics in hospitals across the country using methadone to treat people who inject drugs. Since their establishment, a total of 10,600 patients have been treated in those centres and clinics.

484. In June 2021, the Ministry of Health of Nigeria, the National Drug Law Enforcement Agency of Nigeria, UNODC and the European Union launched two publications aimed at enhancing the quality of counselling and treatment services for drug users in Nigeria: (a) standard policy and practice guidelines for National Drug Law Enforcement Agency counselling centres; and (b) national guidelines for the treatment of substance use disorders. Both guidelines provide comprehensive and evidence-based approaches for the treatment of substance use disorders in line with international best practices for the National Drug Law Enforcement Agency and other drug use treatment practitioners in Nigeria.

485. Morocco issued guidelines on supporting the continuation of addiction treatment during the COVID-19 pandemic by ensuring access to treatment services through telemedicine and the establishment of a take-home policy for methadone for those enrolled in opioid substitution therapy programmes. Morocco has also extended its opioid substitution therapy programmes in prisons, from one pilot centre to five treatment centres in prisons in different regions of the country. Moreover, owing to the COVID-19 pandemic, the Ministry of Health of Morocco launched an e-learning module on drug use prevention for health professionals and non-governmental organizations.

486. Africa is among the regions of particular concern with regard to ensuring and monitoring the availability of narcotic drugs and psychotropic substances for medical and scientific purposes. Countries in Africa have been reporting consumption of narcotic drugs of, on average, just above the level defined by the Board as inadequate and Africa is one of the regions of the world with the least availability of the most widely used opioid analgesics. Similarly, determining levels of consumption of psychotropic substances for Africa remains a challenge, as fewer than half of the countries in the region have provided consumption data to the Board on any psychotropic substance for the past several years. More detailed information is available in the technical publications of the Board on narcotic drugs and psychotropic substances. **The Board stresses that there is insufficient availability of narcotic drugs and psychotropic substances in many countries in Africa and emphasizes the importance of ensuring the sufficient availability of and access to internationally controlled substances for medical purposes.**

⁵¹ *World Drug Report 2021*, booklet 1, *Executive Summary: Policy Implications* (United Nations publication, 2021), p. 26.

C. Americas

Central America and the Caribbean

Central American and Caribbean countries initiated implementation of the OAS Hemispheric Drug Strategy 2020, which is aimed at assisting member States in adapting to new realities, including those resulting from the COVID-19 pandemic.

An increase in home deliveries of illicit drugs was observed in the region as a result of mobility restrictions introduced in response to the COVID-19 pandemic.

1. Major developments

487. Central America and the Caribbean continue to be exploited by organized criminal groups as a transit and trans-shipment route for drugs being trafficked to North America and Europe. During the period 2020–2021, criminal groups rapidly adapted their activities as a result of the COVID-19 pandemic and the resulting lockdowns. Although their responses may have varied in the different countries of the region, ultimately, the techniques employed may result in the development of new patterns of trafficking in and distribution and marketing of illicit drugs.

488. Worsening crime and violence fuelled by drug cartels and gangs, along with fragile institutions, increasing inequalities and political turmoil are, according to UNHCR, among the reasons for the increased number of refugees and asylum seekers from the north of Central America (El Salvador, Guatemala and Honduras) and Nicaragua in recent years. During the COVID-19 pandemic, criminal groups in Guatemala and gangs in El Salvador appeared to take over State functions by ensuring that residents remained indoors and by enforcing curfews and quarantines, but also providing basic services. Exertion of social control in local communities by organized criminal groups through actions of solidarity and care, rather than the usual violent coercion, at the time of global crises, may indicate an increased interest by criminal groups in becoming more involved in legal activities, which in turn would help them not only to achieve more economic power, but also to increase their social and political power.

489. While regulatory and legislative steps have been successful in stemming the tide of NPS globally, in some low-income countries, the problem is on the rise. This is

demonstrated by a fivefold increase in the amount of synthetic new psychoactive substances seized in South and Central America between 2015 and 2019 (see also paras. 518–520 below).

490. The overwhelming demand placed on health-care infrastructure and systems during the COVID-19 pandemic may have caused disruptions to drug use treatment services in some countries in the region. The Board wishes to encourage Governments of the countries in the region to ensure, despite difficulties related to the COVID-19 pandemic, the continued provision of treatment services for mental health and substance use disorders as part of essential services.

491. In 2021, countries in Central America and the Caribbean began implementing the OAS Hemispheric Drug Strategy 2020 and the Hemispheric Plan of Action on Drugs for the period 2021–2025. The strategy is aimed at addressing the transnational drug problem in an integrated manner, with a focus on public health and safety, taking into account gender, age, cultural context and human rights. The strategy promotes the development of drug policies that seek to minimize the adverse public health and social consequences of drug use and promote social inclusion with a treatment and recovery-oriented approach, considering, among other things, the specific needs of at-risk populations.

2. Regional cooperation

492. CICAD, INCB and UNODC continued organizing expert meetings and providing online training for the competent national authorities of countries in Central America and the Caribbean. CICAD training activities focused on issues ranging from counter-drug intelligence, drug use prevention and treatment, drug early warning systems and alternatives to incarceration programmes. Webinars led by INCB, including those provided under INCB Learning and the INCB GRIDS Programme, focused on control of precursor chemicals and trafficking in NPS, synthetic opioids and other dangerous substances not currently under international control. Training courses and workshops organized by UNODC addressed, among other topics, activities of organized criminal groups during the pandemic, maritime interdictions, cyber-enabled drug trafficking in Central America and prevention and treatment of substance use disorders.

493. In December 2020, Costa Rica, Cuba, the Dominican Republic, Guatemala, Haiti, Panama, Saint Kitts and Nevis, and Trinidad and Tobago participated in Operation New Horizons, an INCB-led, time-bound

global intelligence-gathering activity. The operation, which brought together 164 officers from 70 countries and four international organizations, was aimed at identifying sources and dismantling redistribution points of tapentadol and tramadol, two opioid analgesics that are currently not under international control.

494. Drug control officials from the competent national authorities of 13 countries in Central America and the Caribbean, namely Antigua and Barbuda, Belize, Costa Rica, the Dominican Republic, El Salvador, Grenada, Guatemala, Honduras, Jamaica, Nicaragua, Panama, Saint Lucia, and Trinidad and Tobago, have registered for INCB Learning e-modules that cover narcotic drugs, psychotropic substances and precursor control. In January 2021, the GRIDS Programme convened an expert group meeting on trafficking in synthetic opioids, fentanyl and related dangerous substances by means of e-commerce platforms in Latin America and the Caribbean. The meeting was attended by experts from the public and private sectors and was focused on raising awareness about the significant role of e-commerce platforms in preventing the marketing and movement of those dangerous substances. In addition, the meeting promoted regional public-private dialogue and the sharing of best practices to further enhance cross-sectoral collaboration in the region.

495. In 2021, the European Commission and the Community of Latin American and Caribbean States presented a new anti-drug programme entitled “COPOLAD III”. On the basis of earlier successes, the programme will promote technical and political dialogue between Latin America and the Caribbean and the European Union and support the design, implementation and evaluation of evidence-based public drug policies. During the first stage of the programme, a channel will be established for dialogue with participating countries and the programme and its activities will be defined according to their national and regional priorities.

496. A number of countries from Central America and the Caribbean, including Belize, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, Jamaica, Nicaragua, Panama, and Trinidad and Tobago, participated in the Orion VI international naval campaign to combat drug trafficking. Orion VI activities were carried out in the Atlantic, the Caribbean and the Pacific in 2020. In addition to drugs, the operation resulted in the seizure of several semi-submersibles and aircraft used by organized criminal groups for drug trafficking (see also para. 593 below).

497. In October 2020, the Police Community of the Americas held its first meeting of anti-narcotics experts.

Experts from 15 countries in the region participated in the meeting, which was held online, and emphasized the importance of information exchange in assisting them in designing strategies to anticipate and address the modus operandi used by traffickers during the COVID-19 pandemic.

498. In June 2021, under the UNODC global programme on strengthening criminal justice cooperation along drug trafficking routes and the Integrated System for Illicit Crop Monitoring, training was delivered on cocaine manufacture and trafficking investigations to law enforcement officials and prosecutors from Brazil, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras and Panama and from countries across Africa to support countries’ institutional responses to illicit drug markets. The training provided an overview of cocaine manufacture processes and of specialized field and laboratory techniques used to investigate and prosecute cocaine trafficking.

3. National legislation, policy and action

499. In March 2021, the Parliament of Barbados passed the amended Drug Abuse (Prevention and Control) Act, which provides for the payment of a fixed penalty for persons found in possession of small quantities of cannabis.

500. In December 2020, the National Drug Control Directorate and the National Land Transport Network of the Dominican Republic signed an agreement to continue strengthening cargo security in order to prevent prohibited substances from being concealed within licit consignments during transport.

501. In 2021, the Executive Secretariat of the Committee against Drug Addiction and Drug Trafficking of Guatemala, in cooperation with the Ministry of the Interior, launched its “Summer without drugs” campaign. The campaign informed local communities about the harmful effects of drug use on the health and well-being of individuals, their families and the wider community.

502. According to a study of the Working Group on Arbitrary Detention on arbitrary detention relating to drug policies that was submitted to the Human Rights Council at its forty-seventh session, held from 21 June to 9 July 2021 (A/HRC/47/40), the number of people incarcerated for drug-related offences as a proportion of the total prison population varies considerably across countries in the region. In Nicaragua, the proportion is

estimated at 68 per cent, which is considerably higher than the global average of 20 per cent. Cuba and Nicaragua are among a number of countries that authorize judicially ordered drug use treatment as a result of a criminal justice proceeding.

503. The statistical yearbook published by the Costa Rican Institute on Drugs drew attention to drug seizures in the country's penitentiary centres in 2020. The findings indicated that, as a result of the dynamics of drug trafficking and of the scarce resources available to prison administrations, overcrowding, drug use and violence have worsened in prisons in the country in recent years, and the efforts of social rehabilitation have been gradually diluted.

504. The 2019 Jamaica National Crime Victimization Survey, the report on which was published in 2021, measured perceptions of safety, community crime and disorder and fear of crime among persons aged 16 years and older living in Jamaica. According to the report, 63.9 per cent of survey respondents had witnessed the use of cannabis in their community during the period September 2018–August 2019.

4. Cultivation, production, manufacture and trafficking

505. During the initial COVID-19 lockdown, cocaine originating in South America was increasingly trafficked by sea, in particular to countries in Central America. In the second half of 2020, when some of the restrictions were eased, the amount of drugs seized in Latin America and the Caribbean indicated the resumption of trafficking activities.

506. In a recent study, the International Organization for Migration analysed the impact of the COVID-19 pandemic on migration flows in Central America and Mexico involving migrants involved in smuggling activities. The study found no evidence that organized criminal groups had taken control of the smuggling of migrants as a means of transporting drugs or medicines. Instead, the study found that subsistence smuggling continued to be practised by inhabitants of border areas who had been impoverished owing to reduced work opportunities and income loss caused by mobility and commercial restrictions.

507. Brazil, Colombia, Ecuador and Panama were, according to the UNODC-WCO Container Control Programme, the principal countries of origin and transshipment of increasing quantities of drugs destined for

illicit markets in North America and Europe during the first half of 2021.

508. The use of sea containers, semi-submersibles and speedboats, but also of small aircraft adapted for drug trafficking, appeared to have increased during the COVID-19 pandemic. For example, the use of small aircraft for drug trafficking in Guatemala, Honduras and Panama was reported. According to INTERPOL, aircraft adaptations included alteration of modes of identification (e.g. logos and licence plates), alteration of navigation systems and modifications to fuel systems to achieve a longer flight range.

509. Mobility restrictions imposed as a result of COVID-19 resulted in an increased number of home deliveries of drugs in some countries. In El Salvador, such deliveries were carried out by local distributors using online food delivery and transportation platforms. According to police reports, the price of illicit drugs did not change during the time that a lockdown was in force in the country.

510. The quantities of cocaine seized in Central America over the period 2015–2019 increased by 60 per cent, possibly as a result of an increased number of shipments of cocaine transiting the region on the way to Mexico. In the Caribbean, however, the quantities of cocaine seized decreased between 2015 and 2018, before increasing in 2019. In 2019, the amount of cocaine seized in Central America (144 tons) and the Caribbean (14 tons) accounted for 10 per cent and 1 per cent, respectively, of the total amount of the drug seized worldwide.

511. Panama alone seized more than half of the total amount of cocaine seized in Central America (equivalent to 5 per cent of the global total) in 2019. The amounts seized in Costa Rica and Guatemala accounted for 2 per cent and 1 per cent, respectively, of the global total. In the Caribbean, the largest amounts of the substance seized in 2019 were reported by the Dominican Republic, Jamaica and the Bahamas, in that order.

512. In Costa Rica, the amount of cocaine seized significantly decreased, from 31.1 tons in 2019 to 1.9 tons in 2020, before increasing to 13.8 tons during the period January–April 2021. In El Salvador, the amount of cocaine seized plummeted, from 13.8 tons in 2018 to only 0.1 ton in 2019, before rising to 1.9 tons in 2020. In Guatemala, the amount of cocaine seized amounted to 13.6 tons in 2020, 26 per cent less than in 2019 (18.9 tons). In the first half of 2021, authorities in Panama seized a total of 64 tons of cocaine and cannabis herb, compared with 68.8 tons of cocaine and 16.1 tons of cannabis herb in the whole of

2020. In addition to seizures of cocaine, since 2019, authorities in Guatemala and Honduras have also reported the eradication of coca bush on their territories.

513. There are indications of trafficking in intermediary products, most notably cocaine base, from Colombia to other countries in South America, Central America and the Caribbean, suggesting that the final steps in the manufacture of cocaine hydrochloride are increasingly taking place outside Colombia. Since 2015, for example, coca paste has been seized and cocaine laboratories have been dismantled in Guatemala and Honduras.

514. According to UNODC data, in 2019, the amount of cannabis and cannabis resin seized in Central America and the Caribbean increased. In addition to seizures of cannabis, a number of countries in the region, including Costa Rica, Guatemala, Honduras and Nicaragua, have reported indoor and/or outdoor illicit cultivation of cannabis on their territories since 2019.

515. In Guatemala, the number of cannabis plants eradicated in 2020 (3.5 million) was slightly higher than that eradicated in 2019 (3.3 million). In 2020, the country reported the eradication of 11.5 million opium poppy plants, a massive increase compared with the previous year (53,000 plants).

516. In Costa Rica, the amount of cannabis seized, which amounted to 16.8 tons in 2019, dropped to 2.0 tons in 2020, before increasing to a total of 9.9 tons in the first four months of 2021. The number of cannabis plants seized in Costa Rica plummeted, from 1.4 million plants seized in 2019 to 500 plants in 2020. In Panama, the amount of cannabis seized in 2020 amounted to 16.1 tons, a 25 per cent increase over the 12.9 tons seized in 2019.

517. During the period 2015–2019, Guatemala, along with Saudi Arabia and Turkey, seized the largest amounts of amphetamine globally, accounting for 45 per cent of the total amount of the substance seized around the world.

518. According to the UNODC *Global Synthetic Drugs Assessment 2020* report, published in November 2020, the quantities of “ecstasy” seized in Central America and some Caribbean countries increased slightly in recent years. The drug mostly originated in Western and Southern Europe. Some “ecstasy” products that were sold in the region may have contained substances other than MDMA, such as NPS. The report also pointed to the increasing non-medical use of tranquillizers, such as benzodiazepines and barbiturates, in Central American countries, in particular among women, secondary school students and university students.

519. Although the data from Latin America and the Caribbean on NPS detected for the first time are less comprehensive than those from other regions, the reports of the emergence of the substances in Costa Rica, El Salvador, Guatemala, Jamaica, Panama, and Trinidad and Tobago, as well as Puerto Rico, corroborate concerns about their spread to less-developed regions across the globe. By January 2021, Costa Rica had detected the highest number of NPS of the countries of Central America and the Caribbean.

520. Stimulants and hallucinogens accounted for a significant proportion of all NPS detected for the first time in the region. There are indications that some NPS may have been sold in Central and South America under the name of other drugs, or in mixtures containing other drugs. For example, NBOMe compounds continue to be sold as LSD. Samples of seized 4-bromo-2,5-dimethoxyphenethylamine (2C-B) often contained other substances, such as ketamine, amphetamine, MDMA or NPS.

5. Prevention and treatment

521. The Board notes the lack of recent estimates of the prevalence of drug use in most countries in Central America and the Caribbean. For example, recent estimates from the region are not available to enable the production of estimates of the extent of opioid use. The Board recommends that the countries concerned prioritize the collection of data on drug use trends and treatment demand in order to inform the development of evidence-based drug control policy and encourages bilateral partners and regional and international organizations to provide support to this end.

522. In Central America and the Caribbean, the availability of opioid analgesics for medical purposes for 2020 was one of the lowest among all regions and continued to be of concern. The consumption of psychotropic substances in Central America and the Caribbean is difficult to determine as only 8 out of the 20 countries of the region have provided consumption data on any psychotropic substances for the past several years.

523. The use of cannabis and cocaine, the proliferation of NPS and the use of controlled drugs without a medical prescription continue to be issues of concern in Central America and the Caribbean.

524. The past-year prevalence of cannabis use among the adult population in Central America (3.1 per cent) and the Caribbean (3.4 per cent) is lower than that of the global average (almost 4 per cent).

525. According to the Barbados national primary school survey for 2020, which was used to examine drug use among grade 3 and grade 4 students (children aged 9–11), in public and private schools across the country, the lifetime prevalence of cannabis use among the students was 4.3 per cent and the past-year prevalence was 2.0 per cent. The mean age of first use of cannabis herb was as low as 8.2 years; about 12 per cent of the students surveyed believed that cannabis was easy to obtain.

526. In April 2021, CICAD published the findings of a project on NPS, heroin, fentanyl and other opioids, which was aimed at identifying how opioids and other emerging drugs were affecting countries in Latin America. A study that was conducted in two cities in the Dominican Republic as part of the project revealed a high relapse rate among opioid users in participating treatment centres, with most having been in treatment an average of four times.

527. According to the *World Drug Report 2021*, the annual prevalence of the use of cocaine in Central America and the Caribbean is estimated at 0.96 per cent and 0.63 per cent, respectively, of persons aged 15–64 years, which is above the global average (0.4 per cent).

528. The annual prevalence of amphetamine and prescription stimulant use among adults in Central America is estimated at 0.98 per cent (the annual prevalence for the Caribbean was not reported in the *World Drug Report 2021*). The non-medical use of pharmaceutical stimulants in many countries in Central America is estimated to be more common than the use of other amphetamines. The annual prevalence of the use of “ecstasy” is the lowest among the reported controlled stimulants, and is estimated at 0.17 per cent in Central America and 0.23 per cent in the Caribbean.

529. According to the best estimates from the latest UNODC data, published in 2021, about 20,000 people aged 15–64 in Central America and 90,000 in the Caribbean inject drugs. Among this group, about 600 people in Central America and 13,000 people in the Caribbean were estimated to be living with HIV. The available data on HIV among people who inject drugs, however, covered only a limited portion of that population group. In December 2020, the Centre for Comprehensive Dependency Care of the Ministry of Public Health and Social Assistance of the Dominican Republic provided a workshop for health professionals in the areas of psychology, nursing, social work and psychiatry to improve the care and management of patients using substances, in particular opioids, that are linked to HIV infection.

North America

Families and communities in Canada and the United States continue to be severely affected by increasing numbers of drug overdoses and drug-related deaths, especially those involving synthetic opioids and contaminated stimulants.

Cannabis regulations in North America continue to shift towards the legal regulation of use for non-medical purposes.

1. Major developments

530. Drug overdoses and drug-related deaths in Canada and the United States are an ever-worsening public health crisis. The COVID-19 pandemic further accelerated the regional overdose crisis, owing to the increased contamination of drugs with fentanyl and other synthetic opioids and decreased access to treatment and prevention services. The worsening overdose crisis in those countries has been marked by increases in the number of deaths involving psychostimulants, such as methamphetamine.

531. Changes to cannabis regulations and general drug use decriminalization measures continue to be adopted at a rapid pace in North America. The legal and policy landscape with respect to cannabis consumption for non-medical purposes has continued to shift in Mexico and the United States. New regulations for the use of cannabis by adults for non-medical purposes are under development in Mexico on the basis of a Supreme Court decision.

2. Regional cooperation

532. The three countries of North America have continued their close cooperation on drug control, including through cross-border law enforcement operations and efforts to develop collective responses to illicit drug production. For example, Mexico and the United States have been deepening their collaboration on drug control through the adoption of public health approaches. The regional coordination has included efforts to ensure that joint activities to combat drug trafficking adhere to the rule of law and respect human rights.

533. Cooperation efforts between Canada, Mexico and the United States have been enhanced through the North American Drug Dialogue and the North American Maritime Security Initiative to coordinate law

enforcement actions and drug-related public health policy. Bilateral collaboration between Canada and the United States has been undertaken through the Joint Action Plan to Combat Opioids, which was formally launched in 2020. The United States is also working with the Office of the Prosecutor General of Mexico and other agencies in Mexico, including military units that perform counter-narcotics work, to create judicial records of seizures and to establish protocols for reporting incidents in a central database.

534. The Roadmap for a Renewed United States-Canada Partnership, which was announced on 23 February 2021, includes an agreement that the Governments of both countries would strengthen the Joint Action Plan on Opioids, in the light of increases in drug use and the number of overdoses. The two countries agreed to enhance law enforcement collaboration by re-establishing the Cross-Border Crime Forum to facilitate cooperation among law enforcement bodies, including strengthening information-sharing and addressing cross-border law enforcement challenges such as tackling the illegal flows of firearms, drugs and currency.

535. On 13 May 2021, Mexico and the United States held a high-level dialogue on a new security strategy and agreed on mutual security goals and priorities. These include reducing drug trafficking and the violence linked to organized crime and addressing drug use as a public health problem. Both sides agreed to build an intelligence-based framework to address the causes of violence and drug use.

3. National regulation, policy and action

536. During the reporting period, drug control regulations and policies were newly developed or amended at the national and at the state and provincial levels in North America. While new policy developments have primarily been focused on targeting the worsening overdose crisis and countering drug trafficking, there have also been new regulations pertaining to cannabis use for both medical and non-medical purposes in Mexico and throughout the United States.

537. The Drug Enforcement Administration of the United States released its *2020 National Drug Threat Assessment* in March 2021. In that report, the Drug Enforcement Administration reported that overdoses in the United States were being fuelled by illicit fentanyl, while heroin and prescription opioids were also significant challenges for public health and law enforcement

authorities. It also reported that Mexican organized criminal groups had allegedly increased the manufacture and supply to the United States of illicit fentanyl and methamphetamine, leading to a rise in drug-poisoning deaths and seizures of those substances in 2021.

538. In April 2021, the Government of the United States released a statement of drug policy priorities for the first year of its administration. In the statement, the Government prioritized the need to address the overdose epidemic, expand access to treatment and recovery services and enhance support for prevention efforts to reduce youth substance use and the supply of illicit substances. The need to address racial, gender and economic equity issues in drug policy and health care was also stressed.

539. The United States has increased its federal funding to address drug use and the overdose epidemic. Released in May 2021, the National Drug Control Budget for 2022 provides for an investment of \$41 billion for National Drug Control Program agencies, which is an increase of \$669.9 million compared with 2021. The increased funding is expected to support access to critical public health interventions, such as treatment and prevention services. According to the budget description, a record 57.3 per cent of drug control resources will go to demand-reduction programmes, including evidence-based treatment, harm reduction, prevention and recovery services. The American Rescue Plan also includes \$4 billion for mental health and substance use disorders.

540. In March 2021, the Office of National Drug Control Policy of the United States held three consultations with tribal leaders to better inform federal drug policy priorities and ensure that they met the needs of American Indian and Alaska Native individuals, families and communities. The drug policy consultations addressed the opioid epidemic and other challenges related to substance use, including how to decrease barriers to treatment and ways to address the impact of intergenerational trauma in tribal communities with respect to drug use and overdose.

541. On 15 March 2021, the United States Customs and Border Protection and the Department of Homeland Security of the United States started implementing amended regulations based on requirements of the Synthetics Trafficking and Overdose Prevention Act of 2018. The amended regulations provide for new, advanced electronic data requirements for international mail shipments in order to stop the influx of opioids to the United States. The expected benefit of the amended regulations will be more precise identification of suspicious postal

shipments, in advance of their arrival, to disrupt the supply chain of illegal opioids.

542. In June 2021, the INCB GRIDS Programme issued a special notification to all Project Ion and OPIOIDS project focal points about changes in the national legislation of the United States, which included the placing of 14 fentanyl-related substances under schedule I of the Controlled Substances Act. INCB requested that the notice be circulated to appropriate national law enforcement entities and regulatory counterparts and to communicate any suspicious or unauthorized shipments of or trafficking in those substances by means of the IONICS platform.

543. Mexico became the first country in the wider Latin American region to adopt a feminist foreign policy in 2020. The policy, based on the application of a gender perspective across all sectors, helps to promote government actions that will reduce and eliminate structural differences, gender gaps and inequalities. The policy will be implemented over the period 2020–2024. At the sixty-fourth session of the Commission on Narcotic Drugs, the Government of Mexico explained that, in line with its feminist foreign policy, Mexico had articulated three key approaches to drug policy reform, namely the improvement of access to treatment services, prevention and harm reduction, and coordination and cooperation to combat the production, transit and distribution of drugs.

544. In North America, during the reporting period, new measures pertaining to the legalization and decriminalization of drug use, in particular concerning the use of cannabis for medical and non-medical purposes, were adopted.

545. In Mexico, on 19 November 2020, the Senate adopted the Federal Act on the Regulation of Cannabis, which would permit the use of cannabis for non-medical purposes. After being approved in general terms by the Chamber of Deputies, the bill was under additional review in the Senate. On 28 June 2021, however, the Supreme Court of Justice declared unconstitutional all articles of the country's General Health Law that prohibit the use of cannabis for non-medical purposes, on the basis of the constitutional right of consumers to freedom of personal development. The Supreme Court decision did not legalize all activities associated with the non-medical use of cannabis, including transportation and commercialization. On 12 January 2021, Mexico also published regulations on the use of cannabis for medical purposes with the aim of controlling, developing and monitoring cannabis raw materials, pharmacological derivatives of cannabis and medicines containing

cannabis for the purpose of production, research or manufacture or for medical purposes.

546. At the federal level in the United States, the use and sale of cannabis continue to be illegal. In December 2020, the House of Representatives passed the Marijuana Opportunity Reinvestment and Expungement Act, to remove cannabis from the schedule of controlled substances. Under the legislation, which was not subsequently passed in the Senate, prior cannabis convictions would have been expunged and sentencing review hearings would have been conducted in relation to federal cannabis offences. Included in the findings of the draft legislation was that legal cannabis sales at the state level had totalled \$9.5 billion in 2017 and were projected to reach \$23 billion by 2022.

547. In the United States, despite the continued federal control of cannabis under Schedule I of the Controlled Substances Act, as at 1 November 2021, 36 states and the District of Columbia permit the possession and consumption of cannabis by adults for medical purposes. Furthermore, 18 states and the District of Columbia have legalized the use of cannabis for non-medical purposes. During the reporting period, Connecticut, Montana, New Jersey, New Mexico, New York and Virginia signed cannabis regulations into law to permit the use and possession of cannabis by adults for non-medical purposes.

548. After the federal legalization of “hemp” cultivation through the 2018 Farm Bill, *delta*-8-THC and other THC compounds other than the federally scheduled *delta*-9-THC may be derived from CBD generated from “hemp”. In several states, *delta*-8-THC is being added as a psychoactive ingredient to other products, including for sale in unregulated stores or on commercial websites. Some states, such as Vermont and Michigan, have recently started to ban *delta*-8-THC, clarifying that the production of it from CBD has become a way of creating a psychoactive substance from legally produced cannabis, which does not have high concentrations of psychoactive cannabinoids. The Hemp Rules adopted in Vermont in 2020, therefore, ban the use of synthetic cannabinoids in the production of any “hemp” or “hemp”-infused product. The producers in Vermont, as a result, cannot manufacture the *delta*-8-THC cannabinoid and the use, possession or distribution of *delta*-8-THC may result in federal or state criminal sanctions. In Michigan, as of 11 October 2021, products containing *delta*-8-THC are covered by state law and regulated by the state's Marijuana Regulatory Agency so that all intoxicating substances from the cannabis plant are to be safety-tested through the state-wide monitoring system and in the state's seed-to-sale tracking system. **The Board reminds countries that**

delta-8-THC is an isomer of THC, which is listed in Schedule I of the 1971 Convention.

549. In the State of Oregon, Ballot Measure 109, which was approved by voters in 2020, directs the state's health authority to begin a two-year development period for the licensing and regulation of psilocybin products and the provision of psilocybin services. Psilocybin is listed in Schedule I of the 1971 Convention. The health authority of Oregon will work, from January 2021 until December 2022, to establish the regulations implementing Ballot Measure 109. The state's Psilocybin Advisory Board, established by the ballot measure, will develop a long-term strategic plan for ensuring that the psilocybin services provide safe, accessible and affordable therapy. Applications for licences related to the manufacture, sale and purchase of psilocybin products will be accepted from January 2023.

550. In July 2021, the Governor of Rhode Island signed into law legislation that authorizes a two-year pilot programme to prevent drug overdoses through the establishment of community-based centres where people may consume drugs under the supervision of health-care professionals. With that legislation, Rhode Island will be the first state in the United States to authorize such a pilot programme, although the facilities would need to be authorized by the municipality in which the centre would operate. The law also foresees the establishment of an advisory committee to make recommendations to the state's department of health on maximizing the public health and safety benefits of the centres.

4. Cultivation, production, manufacture and trafficking

551. Restrictions related to the COVID-19 pandemic initially disrupted drug trafficking routes and precursor chemical supply chains in North America. However, alternative routes and methods were quickly adopted by drug traffickers. It was reported in the *International Narcotics Control Strategy Report* of the Department of State of the United States for 2021 that there had been an increase in methamphetamine manufacture, trafficking and use, with Mexico continuing to be the primary source of heroin and methamphetamine in the United States, the main transit country for cocaine from South America and a source and transit route for fentanyl. Canada continued to be a primary source of synthetic drugs, cannabis and "ecstasy" trafficked to the United States. Health Canada indicated that, since 2019, methamphetamine and cocaine had become the two most commonly seized substances by law enforcement entities in Canada.

552. On 24 February 2021, the Drug Enforcement Administration of the United States launched a new comprehensive law enforcement and prevention initiative, Operation Engage, to reduce drug use and overdose deaths. The operation allows field divisions of the Drug Enforcement Administration to focus on the biggest drug threat and resulting violence in their respective geographical areas. The Drug Enforcement Administration announced Project Wave Breaker in April 2021, which is aimed at disrupting the illicit flow of fentanyl into the United States that is driving the record-setting rates of overdose deaths. The project is expected to be focused on interdiction and enforcement efforts and on targeting the activities of transnational criminal organizations.

553. On 24 June 2021, UNODC and the Government of Mexico published a fourth technical monitoring report on opium poppy cultivation, corresponding to a study conducted between July 2018 and June 2019. The study estimated that the area under opium poppy cultivation in Mexico during that period was 21,500 ha, constituting a 23 per cent decrease compared with the previous period in 2017/18. The national average yield of opium gum was estimated at 20.5 kg per hectare, with the increase explained by the improvement in harvesting and crop management techniques by opium poppy farmers. The potential national production of dry opium gum was estimated at 440 metric tons, a 2 per cent decrease compared with the previous monitoring period. The concentration of morphine in opium gum for the reported period was 17.6 per cent.

554. In March 2021, the GRIDS Programme issued a special notification in IONICS on xylazine trafficking following increased communications involving this NPS, which is not under international control. Xylazine is commonly used in veterinary medicine as a sedative and it has analgesic and muscle-relaxant properties. However, there have been recent increases in incidents involving the substance. In 2020, the Drug Analysis Service of Health Canada, which analyses suspected illegal drugs seized by Canadian law enforcement entities, identified 198 samples containing xylazine, of which 197 samples also contained fentanyl or its analogues. In October 2020, an alert was issued by the Center for Forensic Science Research and Education in the United States after xylazine was identified in cases involving fentanyl, heroin or a combination of the two. The risk of fatal overdose may increase with the use of drugs adulterated with xylazine, especially in combination with opioids, owing to increased respiratory depression effects. INCB open net monitoring has found that xylazine is being marketed online.

555. In January 2021, the GRIDS Programme convened a four-day expert group meeting on trafficking in

synthetic opioids, fentanyl and related dangerous substances in the western hemisphere through e-commerce platforms. Online vendors are often present on these platforms offering dangerous substances that have no legitimate uses. The platforms, therefore, can have a significant impact on the prevention of the marketing and movement of these dangerous substances. The meeting facilitated regional public-private dialogue and raised awareness, and participants shared good practices to further enhance cross-sector collaboration in the region and recommended practical steps to ensure safe supply chains. Over 40 Governments and private sector experts discussed current regional trafficking trends and the ongoing impact of the COVID-19 pandemic on them.

556. In 2020 and 2021, the Drug Enforcement Administration of the United States seized or assisted in the seizure of fentanyl precursors, including 1-Boc-4-piperidone, 4-piperidone and 4-AP (4-anilinopiperidine) (*N*-phenylpiperidin-4-amine). These seizures may illustrate that criminal organizations are using precursors further down the synthesis chain, instead of the immediate and widely controlled precursors ANPP and NPP.

557. From 1 November 2020 to 30 June 2021, officers from North American countries participated in INCB-led training on operational tools that are designed to enhance officer capacity to counter trafficking in dangerous substances. These tools include the secure communications platform IONICS and the GRIDS Intelligence tool, which is a newly launched, state-of-the-art visual analytics tool that allows fast identification of routes and modi operandi to support the strategic and operational work of front-line law enforcement officers. In-depth training was also provided on the safe handling of opioids and other dangerous substances.

558. Domestic production and availability of cannabis has been rising throughout the region. According to the Drug Enforcement Administration, in the United States, most states that have legalized cannabis have not placed limits on its potency, resulting in the increase in potency levels of cannabis and cannabis concentrate products sold on those markets. The National Center for Natural Products Research at the University of Mississippi has also reported that the percentage of *delta*-9-THC in cannabis samples from the illicit marketplace submitted for analysis by the United States Drug Enforcement Administration rose from about 4 per cent to 14 per cent over the period 1995–2019. The Sentencing Commission of the United States has reported that, since 2016, the number of offenders sentenced for trafficking in cannabis in United States courts has decreased by 67.3 per cent.

559. Cannabis production, distribution and sale in Canada continue to evolve after the Government's legalization of the use of the substance for non-medical purposes in October 2018 and the legalization of the sale of edible cannabis products in October 2019. According to a study from Statistics Canada on cannabis use published in April 2021, the cannabis industry in Canada is now better equipped to compete with the black market on price, convenience and selection. The data used in the study come from the cross-sectional, voluntary national cannabis survey, using an Internet-based questionnaire, which may have some impact on their reliability. According to the survey results, more Canadians were reporting that they were obtaining at least some of their cannabis from legal sources or growing it, and fewer were relying on friends and family or illegal sources in 2020. Cannabis use was higher in late 2020, at 20 per cent, than in the first quarter of 2019, at 17.5 per cent, and in the first quarter of 2018, at 14.0 per cent. Daily or almost-daily use was, at 7.9 per cent in late 2020, up from 5.4 per cent in the first quarter of 2018, suggesting that growth in daily or almost-daily use was slightly higher than in use over the past three months. The data also show that growth in the daily or almost-daily use among females (51 per cent) was higher than the growth in such use among males (33 per cent), thus resulting in a narrowing of the gender gap over the period 2018–2020.

560. Canada, Mexico and the United States participated in Operation New Horizons, which was aimed at identifying key sources and redistribution points involving tapentadol and tramadol (for further information, see para. 352 above).

5. Prevention and treatment

561. North America continued to be affected by the acceleration in the number of overdose deaths in 2020 and 2021. On 17 November 2021, the Centers for Disease Control and Prevention of the United States reported that there had been an estimated 100,306 drug overdose deaths during the 12-month period ending in April 2021, an increase of 28.5 per cent over the 78,056 deaths during the same period the year before. The estimated number of overdose deaths from opioids increased to 75,673 during the same period, up from 56,064 the year before. The majority of those overdose deaths involved synthetic opioids, primarily illicitly manufactured fentanyl, but the Centers for Disease Control also noted an increase in the number of overdose deaths involving psychostimulants, such as methamphetamine.

562. In December 2020, in response to the increase in the number of overdoses, the Centers for Disease Control issued recommendations that highlighted the need for essential services to remain accessible for people at risk of overdose. On the basis of local needs, the recommendations included calls for an expansion of the distribution and use of naloxone and overdose-prevention education.

563. To help alleviate the COVID-19-related decrease in access to drug use treatment, the Bureau of International Narcotics and Law Enforcement Affairs of the United States supported the organization of over 300 online training sessions in 2020, reaching 15,000 medical and treatment experts outside the United States, and supported the provision of technical assistance to improve and develop effective policies aimed at reducing drug use. The Drug Enforcement Administration also finalized measures to improve access to medication-assisted treatment, in particular in rural areas, where those with opioid use disorder may have limited treatment options. On 28 June 2021, a new rule on registration requirements for narcotic treatment programmes with mobile components was published by the Drug Enforcement Administration. The rule eliminates the separate registration requirement for mobile narcotic treatment programmes for those registrants who are authorized to dispense methadone for opioid use disorder. The new rule should help facilitate access to treatment by underserved communities and incarcerated individuals and meet United States drug policy priorities, such as advancing racial equity.

564. In January 2021, the Department of Health and Human Services of the United States announced new practice guidelines for the administration of buprenorphine for treating opioid use disorder in order to expand access to medication-assisted treatment. Eligible physicians would be exempted from certain federal certification requirements needed to prescribe buprenorphine for opioid use disorder treatment. The Department also supported the “Helping to end addiction long-term (Heal) initiative”, investing \$1.5 billion in conducting 500 research studies across the United States with the aim of identifying new therapeutic targets for both pain management and opioid use disorder, reducing the risks of opioid use through non-pharmacological strategies and improving opioid addiction treatment. The Department also launched a project on addressing the opioid crisis in communities of colour, to identify and study the prevalence and impact of substance use disorders, including opioid use disorder, among racial and ethnic minority populations and the policy frameworks, practices and circumstances surrounding treatment for those populations.

565. In July 2021, leaders from the National Institutes of Health published an article on choosing appropriate language to reduce stigma and improve how people are treated. It was noted in the article that, in the United States, nearly 90 per cent of people with substance use disorders do not receive treatment or may receive flawed clinical care owing to stigma-related biases. Similar to the Board’s own analysis in its annual report for 2020, it is explained in the article that using scientifically accurate language and terms that focus on the patient’s experience is a key component to reducing stigma.

566. Canada continues to be affected by a worsening public health crisis owing to opioid overdoses and deaths. There were 21,174 apparent opioid toxicity deaths between January 2016 and December 2020. The Government of Canada has indicated that the increase in such deaths since the onset of the pandemic is likely a result of the increasingly toxic drug supply, isolation, stress and anxiety and limited availability or accessibility of services for people who use drugs. The use of and trafficking in methamphetamine have also increased in Canada since 2018. From January to December 2020, the Government of Canada reported that 47 per cent of stimulant toxicity deaths involved methamphetamine, up from 44 per cent in 2019 and 43 per cent in 2018. There are added concerns about the significant health and safety impacts of methamphetamine use on some indigenous communities across the country. In June 2021, Health Canada issued a report on methamphetamine use, expressing concern about the increase in use of methamphetamine and the risks posed to the health and safety of all communities in Canada.

567. The Canadian Centre on Substance Use and Addiction released its strategic plan for the period 2021–2026, entitled “Focused on the future”. The Centre’s strategic goals include advancing knowledge by synthesizing research and providing evidence on major issues of concern to Canada, such as the opioid and methamphetamine crises, polysubstance use disorder and concurrent disorders such as the relationship between substance use and mental health. The Centre’s research is expected to respond to intersectional, gender- and diversity-specific impacts or trends in substance use. According to the Centre, over the next five years, the legalization of cannabis use will start to affect consumption patterns and attitudes toward the drug and it expects to provide evidence and advice on cannabis use and its effects on the population.

568. According to the Canadian Centre on Substance Use and Addiction, there was a substantial decrease in the availability and capacity of substance use treatment and

harm-reduction services in the early phase of the pandemic because of closures and restrictions on the number of clients allowed at clinics and inpatient facilities. This led to many clients returning to or engaging in higher-risk substance use, and increasing waiting times for services. Even though the delivery of care for substance use treatment shifted rapidly to online platforms, the availability was not equitably distributed and could therefore not completely replace the need for in-person treatment options.

569. The 2020 Health Canada cannabis survey indicated that 54 per cent of people who use cannabis reported using it three days per month or less and 18 per cent reported daily cannabis use. More than half of those who use cannabis choose to obtain it through a legal source, with 41 per cent reporting a legal storefront as their usual source, which was an increase compared with 2019. The COVID-19 pandemic had an impact on cannabis use, with 56 per cent using the same amount, 22 per cent more and 22 per cent less. Smoking remained the most common method of cannabis consumption, although it declined compared with 2019 and the use of edible cannabis products increased.

570. In January 2021, the Canadian Centre on Substance Abuse and Addiction issued the *National Treatment Indicators Report: 2016–2018 Data*. According to the report, after alcohol, cannabis and cocaine were the most commonly reported problem substances among individuals in treatment. More than half of individuals seeking treatment reported at least two problem substances, suggesting a high prevalence rate of polysubstance use.

571. As part of efforts by Canada to reduce the negative consequences of drug use, the country has opened 37 supervised consumption sites since 2017, with more than 2.6 million visits to these sites and over 22,000 overdoses reversed without a single death. Drug checking has also become a more frequently used approach in Canada as a result of the overdose crisis. On 21 April 2021, the drug-checking service in Toronto released its 2020 annual report, in which it indicated that, in 2020, the first full year of operation of its service, 1,657 drug samples had been checked. The report concluded that 53 per cent of the samples checked had been expected to be fentanyl, of which 7 per cent were known to be associated with an overdose; 63 per cent of expected fentanyl substances had contained benzodiazepine-related drugs; and 31 per cent of expected heroin substances had contained fentanyl.

572. In July 2021, Statistics Canada released data from its wastewater survey of five major cities, which suggested an increase in drug consumption since the start of the COVID-19 pandemic. Of the 14 drugs measured in the

survey, the levels of cannabis, fentanyl and methamphetamine were found to have increased significantly early in the pandemic. At a rate four times higher than in any other city measured, Vancouver, the capital of British Columbia, had the highest fentanyl loads in its wastewater. Methamphetamine loads in the wastewater were highest in Edmonton, capital of the neighbouring province of Alberta, with approximately twice as much as entering the sewers as in Vancouver. According to Statistics Canada, ongoing collection of the samples will help with understanding the shifting landscape of drug consumption across Canada.

573. There have been efforts in the United States to remove state-level, criminal prohibitions on drug-checking tools, such as fentanyl test strips. There are no such restrictions at the federal level. On 17 December 2020, the Centers for Disease Control and Prevention recommended the establishment of drug-checking programmes in order to improve the detection of overdose outbreaks. On 7 April 2021, the Centers for Disease Control and the Substance Abuse and Mental Health Services Administration announced that federal funding could be used to purchase rapid fentanyl testing to help curb the dramatic spike in drug overdose deaths. In May 2021, Arizona legalized the use of such strips, as narcotic drug-testing products, to the extent that they are no longer considered drug paraphernalia. In the same month, the Governor of Arizona also signed into law Senate Bill 1250, which legalizes needle-exchange programmes as part of state efforts to encourage individuals who inject drugs to enrol in evidence-based treatment.

574. In the United States, a major settlement of \$26 billion dollars was reached in July 2021 in lawsuits filed by nearly 4,000 local governments and states against three major pharmaceutical distributors and one of the largest opioid manufacturers over their role in creating the country's opioid crisis. Most of the settlement money is planned to be spent on opioid treatment and prevention. The agreement is also expected to require changes to prevent a similar opioid crisis from happening again, including through the establishment of a centralized independent body to provide distributors and state regulators with data about where drugs are going and how often. The establishment of such a body is expected to eliminate blind spots in the current systems used by distributors and help detect suspicious opioid orders from pharmacies.

575. The National Institute on Drug Abuse of the United States has published an analysis of substance use behaviours and attitudes among adolescents in the United States, showing that adolescent cannabis use did not significantly change during the COVID-19 pandemic.

This was despite perceived decreases among the students of the availability of cannabis. During the period February to mid-March 2020, the proportion of students who reported “fairly” or “very” easy access dropped by 17 per cent, from 76 per cent in the spring before the pandemic to 59 per cent during the pandemic. The levels of use, however, did not change significantly. Before the pandemic, 23 per cent of students said that they had used cannabis in the past 30 days, compared with 20 per cent during the pandemic.

576. On 24 June 2021, the Ministry of Health of Mexico released a report on mental health and the consumption of psychoactive substances. The report includes the finding that, among drug users, about 40 per cent noted an increase in consumption owing to stress, anxiety or isolation. Besides a worrying increase in the demand for treatment for use of ATS since 2017, most substance-related deaths were also associated with stimulants.

577. On the issue of how the COVID-19 pandemic has affected substance use patterns, CICAD invited Mexico to participate in the hemispheric study on patterns of consumption of psychoactive substance and COVID-19. A total of 17,267 people from the 32 states of Mexico participated, 62 per cent (10,677) women, 37 per cent (6,413) men and 1 per cent (177) with unspecified gender. With an average age of 40.9 years, most (78.1 per cent) were employed; 14.7 per cent were students and 4.4 per cent were unemployed. It was a voluntary, online survey designed by CICAD. Participants indicated that, in the previous year, they had used substances at the following rates: cannabis (14.6 per cent), tranquillizers (12.6 per cent), opioids (12 per cent), cocaine (11.8 per cent), methamphetamines (11.5 per cent), “crack” cocaine (11.4 per cent), “ecstasy” (11.4 per cent) and inhalants (11.3 per cent). The consumption of tranquillizers and opioids was higher than is usually reported in national surveys or in the demand for treatment, where they are generally low-prevalence substances. Among the respondents, 59.9 per cent of drug users reported having stopped drug use during the pandemic; however, 33.1 per cent maintained the same use and 3.1 per cent increased their use. Those who increased their use of illicit drugs mainly increased consumption of cannabis (10.6 per cent) and tranquillizers (6.7 per cent). Another aspect that was surveyed was the perception of the effects of illicit drugs. In that regard, 13.1 per cent of users continued to perceive the same effect, 2.2 per cent perceived a more powerful effect, and 3.6 per cent perceived a less powerful effect.

578. UNODC has been working with the Government of Mexico to improve the quality of drug dependence treatment services in Mexico and has drafted a road map

for the adoption of international treatment standards. UNODC has also administered a survey to over 600 treatment centres across Mexico to generate a map of services currently available. As part of the project, the National Commission against Addictions in Mexico formed a technical working group in charge of quality assurance of treatment services across the country, with representatives of four government agencies, UNODC and CICAD and international experts.

579. For Mexico, the main impact of COVID-19 on drug use treatment services was the decrease in demand for treatment at both governmental and non-governmental facilities compared with an average year. With a considerable reduction in the number of cases of treatment for drug use during 2020, social-distancing measures had an impact on access to treatment for people who needed it. For example, in 2019, the national network treated 162,530 people for the use of psychoactive substances, while in 2020, 101,142 people were treated. This decrease was despite the fact that the government units maintained the same capacity for treatment services, implementing preventive measures for COVID-19 in accordance with the epidemiological traffic light of each state.

South America

Larger quantities of cocaine and precursor chemicals were seized in 2020 and 2021 as organized criminal groups increased shipment sizes to compensate for losses during the first months of the COVID-19 pandemic.

The Government of Colombia established the legal basis for resuming the aerial spraying of glyphosate to intensify cocaine-eradication efforts.

More Governments in the region regulated the cultivation and manufacturing of and trade in cannabis for medical, scientific and industrial purposes.

1. Major developments

580. In the second year of the COVID-19 pandemic, many developments in South America have been related to how criminal groups, law enforcement institutions and people who use drugs have been affected by the restrictions on the movement of people and goods and by the stricter monitoring of borders as a result of the pandemic.

Moreover, the health emergency has magnified the dominance of criminal organizations in some territories and their role as providers of basic services to some marginalized populations, including through their implementation of public health measures to prevent the spread of the virus that government authorities were unable to enforce. The closure of schools during the pandemic has further aggravated the risk that impoverished youth could be recruited by criminal organizations and turn to criminal activities, such as the illicit cultivation of and trafficking in controlled substances.

581. After a sharp decline in the early months of the pandemic, when movement restrictions hindered buyers from accessing cultivation areas, coca leaf and coca paste prices recovered in late 2020 and in 2021. During the first months of the pandemic, Bolivia (Plurinational State of) and Colombia registered a decrease in prices of 20–50 per cent. In Colombia, given the difficulties experienced by coca leaf buyers in reaching growing areas, farmers either processed or hired processing services to produce coca paste for buyers in other markets or for sale at a later time, in order to avoid losses. As mobility restrictions were lifted in the region, cocaine manufacture and trafficking picked up, increasing the demand for precursor chemicals. Owing to the reduction of licit chemical manufacturing during the pandemic, and to meet the demand for cocaine, criminal groups had to rely on the artisanal production of chemical precursors to maintain their manufacturing capacity. By the end of 2020, the cocaine market had started to stabilize, and seizures of increasing quantities of the drug were reported by authorities in the region.

582. Today, over 50 per cent of households in Latin America have access to the Internet, which represents a considerable increase from 10 years ago, when it was 30 per cent. The popularity of the Internet, especially the darknet, for the illicit sale and purchase of internationally controlled substances has been on the rise in the region. The COVID-19 pandemic has accelerated this process, as online purchasing using social media or the darknet and distribution through postal services and couriers allow criminal organizations to continue their activities in spite of border controls and movement restrictions implemented as a result of the pandemic.

583. Air and maritime routes for drug trafficking have become the most suitable alternatives to circumvent restrictions on travel by land. Traffickers have increasingly used small aircraft to transport cocaine between Bolivia (Plurinational State of), Brazil, Paraguay and Peru. The use of private aircraft to move drugs within the region and to Europe has also been noted in other countries. In

addition, the Paraguay-Paraná waterway system, which consists of 3,400 km of uninterrupted rivers connecting Argentina, Bolivia (Plurinational State of), Brazil, Paraguay and Uruguay to the Atlantic Ocean, appears to have been consolidated as a gateway for transporting cocaine manufactured in Bolivia (Plurinational State of) and Peru to international cocaine markets through ports in Brazil and Paraguay. This poses a new challenge for the authorities, which were accustomed to the movement of drugs from the Plurinational State of Bolivia mainly by means of air and land routes.

584. In the past two years, trafficking in drugs from South America to illicit markets in Africa and Europe has intensified. Increasing quantities of drugs coming from South America have been reported in Europe, as criminal groups in South America have expanded their markets and criminal groups based in Europe now travel to South America to manage drug shipments to Europe. In late 2020 and throughout 2021, record quantities of drugs arriving in containers shipped from ports in South America were seized by European authorities. Increasing quantities of cocaine from South America are also arriving in Africa, which is becoming a significant transit point for drugs manufactured in South America that are later redirected to the illicit drug markets in Europe and other neighbouring regions.

585. Fluctuations in trafficking in cocaine and coca paste were less pronounced in some border areas, where trafficking in goods and persons appears to have remained active or even increased. Catatumbo, a region in Colombia bordering the Bolivarian Republic of Venezuela, was one of the few regions in Colombia where trafficking remained stable throughout the pandemic. In Brazil, the quantity of cocaine seized increased by 38 per cent at the borders with Bolivia (Plurinational State of) and Peru, and members of the Primeiro Comando da Capital, one of the largest organized criminal groups involved in drug trafficking in Brazil, were arrested at the border with Paraguay in May 2021.

586. The increasing presence of armed groups in border areas in some countries has also resulted in higher tensions among organized criminal groups and between those groups and military forces. The Government of the Bolivarian Republic of Venezuela reported that 2,371 anti-drug operations and 27 military operations had been carried out in the States of Apure, Falcón, Guárico, Mérida and Zulia in the first months of 2021. Those operations resulted in the seizure of over 18.5 tons of controlled substances and 71.9 tons of chemical precursors, along with the dismantling of 29 illicit laboratories and eight unauthorized airstrips. In March 2021, clashes

between Venezuelan military forces and criminal organizations engaged in illicit activities, such as drug trafficking, escalated in Apure, which borders Colombia. In Colombia, UNODC reported that, for the past five years, there has been a trend towards the concentration of illicit coca bush cultivation along border areas and in geostrategic zones for cocaine trafficking. Human rights organizations have expressed concerns over possible violations of human rights committed in military operations in the State of Apure, where, according to information from UNHCR, more than 5,800 people had to flee to Colombia to escape armed confrontations that started on 21 March 2021.

587. In October 2021, disputes erupted in the Plurinational State of Bolivia among coca leaf growers and security forces over the control of the main coca market in the country, ADEPCOCA, located in La Paz. In 2019, 90 per cent of the proceeds from the licit sale of coca leaf, corresponding to \$173 million, passed through the market. In recent years, it has been the centre of disputes between two groups of coca growers: one supporting the current Government and the other from the traditional growing area of Los Yungas de la Paz, which feels neglected by the Government. Tensions rose when, in September 2021, the group supportive of the Government removed representatives of the opposing group and took control of the premises. After two weeks of disruptions, it was agreed that elections would be carried out to decide the new ADEPCOCA board of directors. In the meantime, in November 2021, traditional growers from Los Yungas de la Paz inaugurated a new market.

588. Countries in South America have responded to recent increases in drug trafficking by creating special anti-drug military, law enforcement or intelligence units. For example, in February 2021, Colombia launched the Drug Trafficking and Transnational Threats Command, a new military unit consisting of 7,000 elite personnel, to target drug trafficking and terrorist organizations.

589. On 30 July 2021, the Bolivarian Republic of Venezuela inaugurated the Centre for Strategic Counter-Narcotics Analysis, which will formulate and generate information for high-level decision-making in order to combat drug trafficking and related crimes. Brazil established a centre of excellence for illicit drug supply reduction, supported by UNODC and the United Nations Development Programme, to provide the National Secretariat for Drug Policies with strategic studies and trend analyses relating to illicit drug supply, transnational organized crime and other areas of concern, with a view to improving evidence-based public policy- and

decision-making. As of July 2021, in view of the position of Brazil in the regional and global illicit drug markets, the experts operating the Integrated System for Illicit Crop Monitoring will be providing technical assistance to the centre to develop a price monitoring methodology for the illicit drug market.

590. In September 2021, the Government of Brazil announced the creation of the Rapid Alert Subsystem of Drugs, as a response to the presence of NPS and “ecstasy”-type drugs in the country. The presence of these drugs in Brazil and the wider region has gradually increased since 2015. Between 2018 and 2020, several laboratories manufacturing “ecstasy” were dismantled in the country. The Rapid Alert Subsystem of Drugs was created together with the National Secretariat for Drug Policies and its intention is to allow for inter-agency coordination for the rapid identification of new substances. South America has an extensive network of national early warning systems on drugs (in Argentina, Chile, Colombia and Uruguay) that cooperate through the regional early warning system established by CICAD.

591. Several Governments in the region have considered the cultivation of cannabis for medical and scientific purposes as a potential source of economic development. Legislation, regulations and policies to allow for the cultivation of cannabis for medical and scientific purposes, as well as for industrial purposes, were introduced or discussed in Argentina, Brazil, Colombia, Guyana, Paraguay, Peru and Uruguay. In some of those countries, the establishment of a licit cannabis industry has been presented by Governments as an option for economic recovery from the COVID-19 pandemic.

2. Regional cooperation

592. After an initial reduction of activities owing to the restrictions related to the COVID-19 pandemic, regional cooperation in South America has focused on enhancing collaboration to jointly identify and face the increased challenges posed by organized crime. In this regard, during the sixty-eighth regular session of CICAD, in December 2020, the new Hemispheric Drug Strategy and the Plan of Action 2021–2025 were approved. For more information, see paragraph 491 above.

593. The Orion international naval campaign to combat drug trafficking, led by Colombia and supported by over 30 countries in the Americas and Europe, continued its efforts to combat drug trafficking in the Caribbean Sea and the Atlantic and Pacific Oceans. During phases VI and VII of the campaign, carried out from 15 September

to 30 October 2020 and from 15 May to 30 June 2021, respectively, Argentina, Brazil, Chile, Colombia, Ecuador, Guyana, Paraguay and Peru provided air and land support for what was considered one of the world's largest multilateral operations against drug trafficking. The results of the Orion VI operation were published in November 2020 and included seizures of more than 90 tons of cocaine hydrochloride, 18.6 tons of cannabis, 33.2 tons of cannabis resin, 3.5 kg of heroin, 28 kg of amphetamines, 110.6 tons of solid chemical precursors and more than 141,500 litres of liquid chemical precursors. In addition, 76 vessels, five submersibles and seven aircraft were seized and 168 clandestine laboratories were dismantled. Orion VII resulted in seizures of 116 tons of cocaine hydrochloride, 95 tons of cannabis, 85 tons of solid chemical precursors, 215,700 litres of liquid chemical precursors, 237 tons of coca seeds and 2 tons of cannabis seeds. In addition, three submersibles and five aircraft were seized.

594. Through its projects, INCB has continued to provide support for competent national authorities in the region on the control and monitoring of internationally controlled substances. On 25 and 26 November 2020, INCB Learning provided training to officials from Colombia, Ecuador and Peru on the control and reporting of narcotic drugs, including cannabis and cannabis-related substances. Drug control officials of competent national authorities from 12 countries in South America, namely, Argentina, Bolivia (Plurinational State of), Brazil, Chile, Colombia, Ecuador, Guyana, Paraguay, Peru, Suriname, Uruguay and Venezuela (Bolivarian Republic of), have registered to use e-learning modules offered by INCB Learning. The modules cover narcotic drugs, psychotropic substances, precursors, and the international drug control framework, and are available upon registration to officials of competent national authorities at no cost. **The Board urges all Governments to register relevant officials of their competent national authorities for the e-learning modules and to provide feedback and suggestions for areas in which the development of further training is needed.**

595. Under the INCB GRIDS Programme, a four-day expert group meeting was convened in January 2021 on trafficking in synthetic opioids, fentanyl and related dangerous substances through e-commerce platforms in Latin America and the Caribbean. Vendors offering synthetic opioids, fentanyl and related dangerous substances with no legitimate use to potential users in the region are often present on e-commerce platforms. Such platforms can therefore play a significant role in preventing the marketing and movement of those dangerous substances. The purpose of the meeting was to facilitate

regional public-private dialogue, raise awareness, share knowledge and best practices to further enhance cross-sector collaboration in the region, and recommend practical steps for future actions to ensure safe supply chains. At the meeting, more than 40 experts from the public and the private sectors discussed current regional trafficking trends and the ongoing impact of the COVID-19 pandemic on trafficking in synthetic opioids, fentanyl and dangerous substances.

596. The GRIDS Programme also delivered a training webinar to 147 international law and regulatory enforcement officers from 14 Spanish-speaking countries in February 2021.⁵² The objective of the webinar was to provide Governments with information on INCB global approaches and operational tools that enhance the capacity of officers to counter trafficking in NPS, synthetic opioids, precursors and other dangerous substances not currently under international control.

597. The third phase of the Cooperation Programme between Latin America, the Caribbean and the European Union on Drugs Policies (COPOLAD III) was initiated in June 2021. In this phase, the programme will focus on facilitating cooperation in different drug policy areas, including the provision of technical assistance and support for drug policy reform in line with international human rights, gender equality, sustainable development and public health standards. For more information, see paragraph 495 above.

598. Governments have also continued with existing or established new bilateral cooperation agreements, especially between countries that share borders. In March 2021, through Operation Alianza 24, Brazil and Paraguay eradicated 490 ha of cannabis cultivation and seized 14,670 kg of cannabis in the Department of Amambay, Paraguay, which shares a border with Brazil. In July 2021, Argentina and Paraguay signed a cooperation agreement to implement new complementary investigation strategies and exchange best practices and experiences on how to address offences related to organized crime.

3. National legislation, policy and action

599. In December 2020, the Government of Peru approved its new 10-year national policy against drugs.

⁵²Drug control officers and international experts from Argentina, Chile, Colombia, Costa Rica, El Salvador, Guatemala, Mexico, Nicaragua, Panama, Paraguay, Peru, Spain, Uruguay and Venezuela (Bolivarian Republic of) participated in the online training course, in compliance with COVID-19 preventive measures.

The implementation of the policy will be supervised by the National Commission for Development and Life without Drugs. Priority areas of the policy include institutional and socioeconomic strengthening, reducing illicit drug production and trafficking in strategic zones and decreasing drug use among vulnerable populations.

600. In February 2021, Decree No. 4432 was published in the *Official Gazette* of the Bolivarian Republic of Venezuela. Through the Decree, the National Counter-Narcotics Office became the National Counter-Narcotics Supervisory Authority. The new authority will design and execute public policies and strategies against trafficking in and the illicit use of drugs. The Decree is part of the process of reforming the country's organic law on drugs of 2010, which was initiated in 2019 to broaden the range of actions of law enforcement authorities and competent drug authorities in view of the changes and new trends in drug-related activities. The reform foresees the creation of special commands to address drug trafficking in areas occupied by organized criminal groups.

601. In Paraguay, the list of controlled psychoactive substances and chemical precursors was updated through Decree No. 5282 in May 2021. In June 2021, resolution 114/2021 of the Directorate of Sanitary Surveillance came into force, establishing the requirements and procedure for the registration and re-registration with the Directorate for establishments operating with controlled chemical substances. In the context of the COVID-19 pandemic, resolution SG 111/2021 was passed to establish the requirements and conditions for issuing emergency authorizations for relevant medicines, including those containing internationally controlled substances.

602. Bolivia (Plurinational State of) and Colombia have taken action to intensify their efforts against the illicit cultivation of coca bush. In March 2020, after a meeting between the President of Colombia and the President of the United States, discussions were resumed on the use of aerial spraying to enhance eradication efforts. In April 2021, Decree No. 380 was issued in Colombia, setting out the basis for compliance and limitations on the eradication of illicit coca bush cultivation through aerial spraying of glyphosate, should the National Narcotics Council approve the continuation of those activities. Colombia had suspended aerial spraying in 2015 following a Constitutional Court ruling that was based on the WHO findings that glyphosate was probably carcinogenic to humans and also had a negative impact on the environment.

603. In April 2021, a strategy to combat trafficking in controlled substances and control the expansion of coca

crop cultivation for the period 2021–2025 was published in the Plurinational State of Bolivia. The objective of the strategy is to reduce drug trafficking through efficient monitoring of trafficking patterns, sustained reduction of licit and illicit coca bush cultivation, comprehensive prevention of drug use and the regionalization of international efforts within a framework of common and shared responsibility. In addition, the Plurinational State of Bolivia modified its institutional infrastructure for drug control, which had been in place for more than 20 years. On 6 January 2021, Law No. 1358 was adopted, under which the Council for Comprehensive Policies on the Elimination of Trafficking in Controlled Substances and Surplus Coca and on the Prevention of Drug Use was created. The Council is the highest authority for the approval, monitoring and evaluation of anti-drug trafficking policy, surplus coca and drug use prevention.

604. In June 2021, Uruguay presented its national drug strategy for the period 2021–2025. The strategy is divided into five components: (a) institutional strengthening; (b) integral health; (c) measures to regulate and control the market; (d) justice and coexistence; and (e) international relations and cooperation. In the light of the development of the licit cannabis market in the region and the advancement of related laws and policies, the strategy envisions the production of medicinal and industrial cannabis as a way to support scientific research and the local and international cannabis markets. Accordingly, in July 2021, Decree No. 046/2015 on the regulation of the production and commercialization of cannabis for medical and scientific purposes was amended. The new decree is aimed at easing registration and procedures related to the export of cannabis raw material and cannabis-based products of a psychoactive and non-psychoactive nature. The country's Institute for the Regulation and Control of Cannabis can now directly issue export authorizations for cannabis raw material.

605. In recent months, other Governments in the region have taken similar steps to join regional and international cannabis markets. In July 2021, Colombia modified Decree No. 613 of 2017 on safe and informed access to the use of medical and scientific cannabis. The new decree lifts the prohibition of the export of dried cannabis flowers for therapeutic purposes and guarantees better access to cannabis-based medicines.

606. In Paraguay, three companies have been authorized to import seeds for the cultivation and production of industrial cannabis. In June 2021, the National Anti-Drug Secretariat inaugurated a forensic laboratory and evidence centre to further examine industrial and medicinal uses of cannabis.

607. In Argentina, in April 2021, the Ministry of Health and the National Seed Institute signed resolution 5/2021, authorizing the registration of cannabis sativa germplasm in the cultivar registry, with a view to ensuring access to quality seeds of identified origin within the country. In June 2021, the Government presented a draft bill complementing Law No. 27350 on the use of cannabis for medical purposes. The bill is focused on the development of a legal framework for medical cannabis projects and on supporting the emergence of an industrial cannabis market, with special attention paid to the role of small and medium-sized businesses. The bill also provides for the creation of a national regulatory agency for cannabis, as required under article 28 of the 1961 Convention as amended.

608. In June 2021, a special commission of the Chamber of Deputies in Brazil approved bill 399/2015, which would permit the commercialization of cannabis-based medicines in the country. The bill will have to be adopted by the Federal Senate and be signed by the President before it can enter into force. It is expected to make cannabis-based medicines more economical and accessible to patients. To date, the Brazilian Health Regulatory Agency has issued import licences for only a limited number of cannabis-based medicines.

609. In July 2021, the President of Guyana announced that his Government would develop a legislative framework for the cultivation of cannabis for industrial purposes with the aim of generating economic advantages for the country. The announcement came after the submission on 28 January 2021 of a number of amendments to the country's narcotic drugs and psychotropic substances control act to reduce sentences for possession of small quantities of cannabis, with a view to reducing the prison population. Under the amendments, persons convicted for the possession of less than 15 grams of cannabis would be required to attend counselling sessions, and those found with quantities between 15 and 30 grams would have to perform community service in addition to receiving mandatory counselling.

610. In Peru, Law No. 6532 was adopted on 15 July 2021, modifying Law No. 30681 on the use of cannabis and its derivatives for medical and therapeutic purposes. The new law allows patients' associations to register in the official cannabis registry, thus allowing them to cultivate, process, transport and store cannabis and its derivatives for medical purposes.

611. **The Board reiterates that the personal cultivation of cannabis for medical purposes is inconsistent with the 1961 Convention as amended because, inter alia, it heightens the risk of diversion. The cultivation of**

cannabis by individuals for medical purposes does not allow Governments to exercise the supervision required over the production, manufacture, export, import and distribution of, trade in and use and possession of cannabis, the establishment of estimates for medical use, the furnishing of related statistical returns or the implementation of the provisions of articles 23 and 28 of the 1961 Convention as amended.

4. Cultivation, production, manufacture and trafficking

612. In 2019, 83 per cent of the cocaine seized worldwide was seized in the Americas, with South America accounting for the majority. Between 2018 and 2019, the quantity of cocaine seized in the region increased by 5 per cent. That increase has been linked to both the rise in illicit cocaine manufacturing and the intensification of law enforcement activities. Bolivia (Plurinational State of), Brazil, Colombia and Peru reported increases in the quantities of cocaine seized between 2018 and 2019.

613. Despite a significant decrease in the area under illicit coca cultivation in Colombia since 2017, global cocaine manufacture has doubled in output since 2014 and reached the highest level ever recorded in 2019, at an estimated 1,784 tons. While Colombia has reported a reduction in the area under coca bush cultivation, data from Bolivia (Plurinational State of) and Peru point to an increase.

614. Colombia has continued to report reduced areas under coca bush cultivation, with a decrease of 7 per cent, from 154,000 ha in 2019 to 143,000 ha in 2020. Compared with the historic high reached in 2017, the area has decreased by 16.3 per cent. The intensified eradication efforts of the Government could be one reason for the reduction of the area of cultivation. In 2020, the Government reported that 100,000 ha had been eradicated manually. Of the target area of 130,000 ha set for the year, 38,000 ha had been eradicated as of July 2021. Regarding the impact of eradication efforts, only 14 per cent of areas where interventions are taking place have become free of illicit cultivation. This may be understood as further evidence that eradication efforts need to be accompanied by equivalent investments in security, livelihoods and institutional strengthening. Since the signing of the peace agreement in Colombia, programmes for the substitution of illicit crops have progressed at a slow pace; 60 per cent of municipalities have reported a decrease in illicit cultivation, while the remaining 40 per cent have reported an increase. In 2021, two new production enclaves were identified.

615. Following the trend observed in the previous year, the production potential of cocaine hydrochloride in Colombia increased by 8 per cent, reaching 1,228 tons in 2020. This is the result of increased alkaloid yields per hectare and improved capacity to extract alkaloids from the leaves and turn them into coca paste, which is later transformed into cocaine hydrochloride. Cocaine hydrochloride production per hectare of productive land per year increased from 6.5 kg per hectare in 2016 to 7.9 kg per hectare in 2020. This increase can be attributed to numerous factors, including improved extraction techniques, larger laboratories and wider availability of both chemicals and human resources. The quantities of cocaine hydrochloride and coca leaves seized increased in Colombia in 2020, with 472 tons of cocaine hydrochloride and 527 tons of coca leaves seized, representing increases of 17 per cent and 9 per cent, respectively, in relation to 2019.

616. The total area under illicit cultivation of coca bush in Peru has been steadily increasing. Data released by the Government of Peru in November 2020 indicated that the total area under illicit cultivation was 49,000 ha in 2017, increasing to 53,134 ha in 2018 and reaching 54,644 ha in 2019. Additional data released by the Government in October 2021 showed a considerable increase for 2020, when 61,777 ha were under illicit cultivation. This represents an increase of 13 per cent in relation to the previous year. As with other countries in the region, multiple factors could explain this increase, including the suspension of eradication efforts during the COVID-19 pandemic, the increasing exodus to rural areas as socioeconomic conditions in the cities deteriorate, and political instability. Unlike the illicit crop monitoring reports for Bolivia (Plurinational State of) and Colombia, which are undertaken by UNODC in cooperation with the national Governments, the monitoring reports on illicit crops in Peru are prepared by the Government; UNODC has not been in a position to validate the data presented by the Government of Peru. **The Board reiterates its recommendation that, as in Bolivia (Plurinational State of) and Colombia, Peru resume the studies and monitoring reports on territories affected by illicit crops that are fully prepared and certified by UNODC. This will allow adequate comparative monitoring among these Andean countries, in addition to ensuring support for the efforts of the Government of Peru in the fight against drug trafficking.**

617. Data released by the Government of Peru in October 2021 indicate an increase in the estimated production capacity of coca leaf in the country, which has been on the rise since 2016. In 2020, the total estimated production of coca leaf in Peru was 146,359 tons, an

increase of 10.5 per cent in relation to the previous year, when the total reported was 132,436 tons. Of the total reported for 2020, 8 per cent was for traditional use and the rest was considered to be for illicit use. The valley of the rivers Apurímac, Ene and Mantaro remains the region with the highest total area under cultivation and the largest production capacity.

618. The Plurinational State of Bolivia reported a 15 per cent increase in the area under coca bush cultivation, from 25,500 ha in 2019 to 29,400 ha in 2020. By law, up to 22,000 ha of coca bush may be cultivated in the country. The main reasons associated with that increase are linked to the political instability of the past years and the COVID-19 pandemic, which have slowed down eradication efforts in unauthorized areas and decreased rationalization in authorized production areas.⁵³ In 2019, the area under coca bush cultivation that was eradicated was 9,205 ha, but the figure dropped in 2020, when only 2,177 ha were eradicated. Eradication activities were suspended between April and June 2020.

619. In the Plurinational State of Bolivia, the quantity and price of coca leaves on the licit market decreased by 19 per cent and 22 per cent, respectively, from 2019 to 2020. Mobility restrictions and the closure of authorized markets during the national lockdown in order to contain the COVID-19 pandemic resulted in an accumulation and an oversupply of coca leaf, causing its price to decline on the licit market. The production of coca leaf was unaffected during the early months of the pandemic. According to the information provided in the UNODC coca crop monitoring report for 2020, restrictions on movement gave producers an opportunity to devote more time to the care and management of their crops.

620. Brazil, Colombia, Ecuador and Panama are the main countries of origin and transit for cocaine to North America and Europe, according to information reported by UNODC in the framework of the Container Control Programme. In response to the COVID-19 pandemic, organized criminal groups have focused on Brazil for the trans-shipment of cocaine to Europe, rather than relying on the usual routes in the Pacific and Caribbean, in order to avoid increased controls. In February 2021, a boat bound for Europe carrying 2 tons of cocaine was intercepted by Brazilian authorities, in cooperation with authorities from Portugal, the United Kingdom and the United States. Brazil also appears to be the main departure country for shipments to Africa owing to its trade

⁵³“Rationalization” refers to the process of eradicating coca bush cultivation that exceeds the agreed limit per family in the coca bush-growing areas of the Plurinational State of Bolivia.

infrastructure and linguistic links to some African countries. In March 2021, the French Navy seized 6 tons of cocaine on a ship from Brazil in international waters near Côte d'Ivoire.

621. Data reported by Paraguay also reflected an increase in the quantities of cocaine trafficked and transiting through the country on the way to Europe. In February 2021, the largest amount of cocaine ever seized in Europe (16 tons) arrived in Hamburg, Germany, in containers shipped from Paraguay. Organized criminal groups are reportedly trafficking larger quantities of drugs in each shipment in order to compensate for lost business during the COVID-19 pandemic. Similarly, the National Police of Paraguay seized the second-largest quantity ever in the country in July 2021, when 3,415 kg of cocaine were seized from a warehouse near the border with Argentina.

622. Ecuador has reported seizures of increasing quantities of controlled substances. In 2020, those quantities rose to record levels in the country, with 128.2 tons of controlled substances seized, a 56 per cent increase compared with the previous year. It appears that 2021 could follow a similar trend; in the first months of the year, the Ecuadorian authorities seized over 35 tons of controlled substances. The country is a major transit point for cocaine bound for international markets, especially North America and Europe. Between 1 April and 4 April 2021, more than 4 tons of cocaine destined for international illicit markets were seized in Operation Odisea I in Ecuador. In August 2021, law enforcement authorities reported a seizure of 9.4 tons of cocaine in the city of Guayaquil, one of the largest in the country to date. In addition, it appears that increasing quantities of cocaine have been shipped from Ecuador to African countries; in January 2021, authorities in the Gambia seized 3 tons of cocaine in a container shipped from the port of Guayaquil.

623. Peru has reported seizures of increasing quantities of precursor chemicals used for the manufacture of cocaine. In February 2021, 100 tons of precursors were seized by the National Police and, in March 2021, 40 tons were seized from an organized criminal group that supplied drug traffickers in the valley of the rivers Apurímac, Ene and Mantaro, the primary coca bush-growing area in the country.

624. An increase in the quantity of cocaine shipped through ports in Guyana has been observed, as highlighted by a record seizure of 11.5 tons of cocaine arriving in Belgium from Guyana in November 2020. It is suspected that stricter counter-narcotic measures in Brazil and Venezuela (Bolivarian Republic of) may have

motivated traffickers operating in those countries to take advantage of the permeable borders with Guyana to ship drugs to international markets.

625. In the Plurinational State of Bolivia, a laboratory on the border with Paraguay manufacturing 100 kg of cocaine per day was located and dismantled in March 2021. According to data from the report on the destruction and incineration of seized drugs presented by UNODC in 2020, the illicit cocaine laboratories and factories dismantled in 2020 were concentrated in the Departments of Beni, Cochabamba and Santa Cruz, areas in which an increase in coca bush cultivation was observed in 2020.

626. In April 2021, law enforcement authorities in Colombia dismantled an illicit laboratory in the department of Nariño, bordering Ecuador. The laboratory had a manufacturing capacity of 4 tons of cocaine per month, and evidence suggested that the drugs were bound for Mexican cartels. Those cartels are known to have consolidated their positions strategically along various trafficking routes in Colombia to control the cultivation of coca bush and the trafficking of cocaine to international markets.

627. According to the *World Drug Report 2021*, South America accounted for 34 per cent of the cannabis herb seized globally in 2019. Given the lack of illicit crop monitoring activities, it is difficult to establish an estimate of the area under illicit cannabis cultivation in the region. However, an analysis of various indicators over the period 2010–2019 suggests that Brazil, Colombia and Paraguay accounted for considerable illicit cannabis cultivation. Furthermore, in seizures reported in other countries, Colombia and Paraguay were frequently identified as countries of origin and transit.

628. Operations carried out by the security forces of Argentina resulted in the seizure of more than 12 tons of cannabis within a two-week period in 2021. Most of the cannabis seized had entered the country through its borders with Brazil and Paraguay. In May 2021, the National Gendarmerie of Argentina seized over 3 tons of cannabis that had been transported by land through Iguazú, on the border with Brazil.

629. In a new development, Brazil has reported an increase in the amount of cannabis resin seized. In June 2021, the Federal Police of Brazil, with the support of authorities from France and the British Virgin Islands, intercepted a sailing boat arriving from Portugal with 4.3 tons of cannabis resin on board. That was the largest seizure of the substance to date by Brazilian authorities. Cannabis resin, which has a higher psychoactive potency

than cannabis herb and commands a higher price, is mostly produced in North Africa. Drug traffickers based in Brazil and North Africa are reportedly exchanging cocaine and cannabis resin, taking advantage of the difference between the prices that those drugs command on either side of the Atlantic. In January 2021, two major shipments of cocaine destined for Morocco were intercepted in Brazil and Colombia, amounting to 460 kg and 1,539 kg, respectively.

630. Brazil has also reported an increase in the quantities of “ecstasy”-type drugs seized. Domestic illicit manufacture of such substances has been increasing since 2018 and, in December 2020, Operation Bad Trip was launched to counter the trend. According to the latest report of UNODC on synthetic drugs and NPS, between 2015 and 2019, the largest quantities of “ecstasy” were seized by Brazil, followed by Argentina and Chile. “Ecstasy”-type drugs are mainly produced in Europe and reach the region through postal services.

631. According to recent data from UNODC, there has been an increase in the presence of NPS being sold under the name of other drugs in the region. In 2019, Argentina, Chile and Colombia reported seizures of a substance sold as 4-bromo-2,5-dimethoxyphenethylamine (2C-B), also known locally as “cocaina rosada”, or “pink cocaine”, which often contained traces of fentanyl, ketamine and a range of NPS. While the amounts of the substance seized in Argentina and Colombia are still relatively small, the presence of fentanyl in such drugs is uncommon in the region and deserves the attention of authorities.

632. The amount of ketamine seized in Latin America and the Caribbean increased from 60 kg in 2015 to 319 kg in 2019, with the largest annual amounts reported by Argentina and Chile.

5. Prevention and treatment

633. Cocaine and cannabis continued to be the substances most prevalent among people who use drugs in South America. According to data presented in the *World Drug Report 2021*, nearly 3 million people aged 15–64 in the region were estimated to be past-year users of cocaine in 2019. Following the tendency of past years, mixed trends have been reported on such consumption. While the use of cocaine in Argentina apparently doubled over the period 2010–2017, the Plurinational State of Bolivia has reported significant decreases in cocaine prevalence since 2012. A unified pattern in the region is that past-year prevalence is highest for males aged 16–24.

634. While the presence of cannabis herb on the illicit market is high in the region, the past-year prevalence of cannabis use in South America, at 3.5 per cent, appears to be lower than the global average. Whereas use almost doubled in Argentina and Chile between 2008 and 2018, Bolivia (Plurinational State of) and Colombia have reported a stable trend at a lower level. However, a lack of consistent data makes it difficult to generate more accurate estimates.

635. In Uruguay, where the use of cannabis for non-medical purposes was legalized in 2013, consumption data are collected and monitored on a regular basis. As of July 2021, over 63,589 people had registered for access to the regulated cannabis market in the country. Of those, 45,500 did so through registered pharmacies, 12,694 for domestic cultivation and 5,395 through membership of cannabis clubs. The overall figure represents an increase of 19 per cent in relation to February 2020. However, the total number of cannabis users who gain access to the drug through the regulated cannabis market is still relatively low compared with the total number of those who use cannabis for non-medical purposes. According to data for 2018, the latest available at the time of writing the present report, 259,000 people reported having consumed cannabis at least once in the past 12 months. In an attempt to prevent consumers from turning to the illicit market, which is still present in the country, the Government plans to allow the cultivation of a cannabis variety containing higher levels of THC. A survey undertaken in the country in 2019 established that 25,500 people were estimated to be daily or near-daily users of cannabis, of whom 16 per cent were showing signs of substance use disorder.

636. **The Board wishes to draw the attention of all Governments to the fact that measures permitting the non-medical use of cannabis are contrary to the provisions of the international drug control conventions, specifically article 4, paragraph (c), and article 36 of the 1961 Convention as amended, and article 3, paragraph 1 (a), of the 1988 Convention.**

637. While the prevalence of NPS in South America is relatively limited, as those drugs account for only a minor market share in the region, it appears that their use could be expanding and becoming popular among certain population groups. For example, the use of “ecstasy”-type substances in the region seems to be more pronounced in countries with higher per capita income and the prevalence of use is higher among men than among women. The rates of use among youth, especially in high school and university, are particularly worrisome.

638. According to data from the *World Drug Report 2021*, Argentina, Chile and Uruguay have witnessed an increase in the use of “ecstasy” among their adult populations in the past 10 years. In Colombia, however, the opposite trend has been reported, with a decrease in use between 2008 and 2019. Data from the UNODC early warning advisory on NPS indicates that the consumption of new forms of ketamine in combination with other substances is increasing in Argentina and Colombia.

639. The prevalence of the misuse of prescription opioids in the region is one of the lowest in the world. A project undertaken by CICAD on the use of NPS, as well as heroin, fentanyl and other opioids, in Argentina, Peru and Uruguay found that the use of opioids is most common among workers in the health sector. In Peru, the low level of consumption of opioids and other psychoactive substances could be linked to a lack of awareness of and knowledge about those substances among the general population. In Uruguay, the prevalence of opioid use is higher in vulnerable populations and may be associated with the use of coca paste. A further finding is the lack of availability of specialized programmes to treat people suffering from opioid use disorder. Usually, the treatments offered to those patients do not differ from those offered for the treatment of disorders related to the use of other psychoactive substances. Patients who suffer from chronic conditions, such as cancer, and who experience severe pain continue to have limited access to medicines for pain management and palliative care. The availability of pain relief medications containing controlled substances in South America is less than 1 per cent of such availability in North America.

640. In South America, as in other regions, it is difficult to establish adequate levels of opioid analgesics without reliable measurement of medical needs related to palliative care and other health conditions. Data reported by Governments in the region show a general improvement in the availability of controlled opioids over recent years. Consumption of opioids for pain management has been rising since 2017; however, availability remains considerably below the average reported by higher-income regions. On the other hand, determining levels of consumption of psychotropic substances for medical purposes for South America is a challenge as only about half of the countries in the region have provided consumption data on any psychotropic substances for the past several years. More details and information are available in the technical publications of the Board on narcotic drugs and psychotropic substances. **The Board recalls that there is insufficient availability of narcotic drugs and psychotropic substances in some countries of the region and emphasizes the importance of ensuring sufficient**

availability of and access to internationally controlled substances for medical purposes. Special attention in the region should be paid to availability in rural areas and for vulnerable populations.

641. Regional organizations have been monitoring information on drug use and accessibility to treatment facilities. Facilities to treat patients are generally lacking in the region, in particular in rural areas. In Brazil, the region’s largest cocaine market, with a prevalence of past-year cocaine use of 1.0 per cent in the population aged 15–64 in 2016, the number of available programmes is not yet proportional to the size of the affected population.

642. In September 2019, the Human Rights Council requested the Working Group on Arbitrary Detention to prepare a study on the results of drug policies. The Working Group found that in several South American countries (Argentina, Brazil, Chile and Colombia), serious violations of human rights occurred in private drug use treatment centres. The Working Group stated that “as in State-run compulsory drug detention centres, the focus in most private drug use treatment centres is on abstinence, normally with little or no evidence-based treatment” (A/HRC/47/40, para. 94). In 2019, the Government of Brazil approved the compulsory hospitalization of people who use drugs, and in July 2020 therapeutic communities, which often rely on abstinence and non-evidence-based approaches, were allowed in the treatment of adolescents.

643. The Board takes note of the recommendation of the Working Group on Arbitrary Detention that State-run compulsory drug detention centres should be closed without delay and that legislation, policy and practices should be amended so that all treatments for drug use disorders is evidence-based, voluntary and based on informed consent (A/HRC/47/40, para. 126 (e) and (g)). The Board also recalls the report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health submitted to the Human Rights Council at its forty-fourth session, held from 30 June to 17 July 2020 (A/HRC/44/48). **The Board discourages the use of compulsory detention for the rehabilitation of people with drug use disorders and calls upon Governments in the region to implement voluntary, evidence-based treatment services with due respect for patients’ human rights in line with the UNODC-WHO *International Standards for the Treatment of Drug Use Disorders* and Commission on Narcotic Drugs resolutions 46/1 and 59/4.**

644. Some Governments are making progress in improving the treatment and prevention services offered to patients. In the Bolivarian Republic of Venezuela,

Decree No. 4432 of 2021 on the reform of the organic law on drugs establishes the creation of rehabilitation centres to provide support and guidance to people suffering from drug use disorders. In the Plurinational State of Bolivia, prevention has been made a pillar of the new drug control strategy 2021–2025, and actions have been taken to find effective approaches to protecting youth and children from drug use.

645. In 2021, Bolivia (Plurinational State of), Paraguay and Peru conducted a number of capacity-building activities for health workers and treatment professionals. In Peru, the training was also focused on the specific needs of women and the lesbian, gay, bisexual, transgender, queer and intersex community. With the support of UNODC, professionals from Ecuador and Peru exchanged good practices, and a regional webinar was held for professionals from Colombia, Ecuador, Panama and Peru, who discussed an evidence-based family therapy model.

646. Restrictions related to COVID-19 have posed an additional challenge to the implementation of policies for prevention and treatment. However, some Governments have been able to adapt to the limitations and have continued to provide services to people in need. In Argentina, treatment sessions were conducted over videoconferencing platforms and Ecuador published a protocol to ensure continued access for patients to treatment facilities while maintaining safety measures and regulations.

647. The Board recognizes the efforts made by countries to address the issues related to prevention and treatment in the region. However, the economic recession and the social and political tensions that the region is experiencing as a consequence of the COVID-19 pandemic are hampering those efforts. Economic difficulties and other social problems could increase the rates of substance use in the region. At the same time, high levels of unemployment, together with low levels of education, may push young people into crime and illicit activities, increasing their vulnerability to the illicit use of controlled substances.

D. Asia

East and South-East Asia

The East and South-East Asia region faces a major challenge in the continued illicit manufacture of, trafficking in and use of synthetic drugs. In particular, increases in the manufacture of and trafficking in ketamine have been

observed, elevated levels of MDMA have been found in some “ecstasy” tablets, and several new and highly potent synthetic drugs have emerged, posing serious public health challenges.

From 1 July 2021, China started to control synthetic cannabinoids using a generic definition. Controlling groups of substances in this manner, also known as the “generic approach”, enables countries to control a large number of substances at once without necessarily having to name them individually in the legislation. This approach also makes it possible to anticipate controls on new substances that may arise. In 2019, China introduced similar controls over fentanyl-related substances.

1. Major developments

648. Despite the COVID-19-related restrictions that were in place for most of 2020 and 2021, transnational organized criminal groups involved in the manufacture of and trafficking in illicit drugs showed an ability to diversify and adapt, and the illicit manufacture of, trafficking in and misuse of methamphetamine continued to exhibit a strong presence in the region.

649. While the purity of methamphetamine on the illicit market in countries of the region has remained stable, oversupply has kept prices at record lows and contributed to availability, potentially increasing demand and use in the region, according to UNODC. Methamphetamine continued to be manufactured predominantly in Shan State, Myanmar. However, according to UNODC, there are growing signs that Cambodia has increasingly been targeted for the large-scale illicit manufacture of the substance.

650. Potentially harmful NPS and “ecstasy” tablets with a high MDMA content, reportedly linked to overdose cases, have continued to emerge in East and South-East Asia. The evolution of the synthetic drug market in the region clearly shows the need to strengthen the role of forensic laboratories in order to ensure the rapid and accurate detection of potent synthetic drugs for early warning purposes at the national and regional levels, as well as the need for trace analysis to determine synthesis routes.

651. Synthetic cannabinoids dominate the regional market for synthetic NPS in East and South-East Asia. China, Indonesia, Malaysia, the Republic of Korea, Singapore and Viet Nam reported that synthetic

cannabinoids were the most commonly identified NPS in samples analysed.

652. In recent years, NPS with hallucinogenic effects, in particular LSD analogues, have emerged in some countries in the region, in particular Japan, the Republic of Korea, Singapore and Viet Nam. Japan has placed a number of LSD analogues under national control and Singapore introduced a generic LSD group to its Misuse of Drugs Act to tackle the emergence of those analogues more effectively.

653. East and South-East Asia is among the regions of particular concern with regard to ensuring and monitoring the availability of narcotic drugs and psychotropic substances for medical and scientific purposes. Countries in East and South-East Asia have been reporting consumption of narcotic drugs of, on average, just above the level defined by the Board as inadequate and the region is among those with the least availability of the most widely used opioid analgesics. Similarly, determining levels of consumption of psychotropic substances for East and South-East Asia remains a challenge, as fewer than half of the countries in the region have provided consumption data to the Board on any psychotropic substance for the past several years. More detailed information is available in the technical publications of the Board on narcotic drugs and psychotropic substances. **The Board stresses that there is insufficient availability of narcotic drugs and psychotropic substances in many countries of the region and emphasizes the importance of ensuring the sufficient availability of and access to internationally controlled substances for medical purposes.**

2. Regional cooperation

654. Despite the limitations on travel imposed during the pandemic, the countries of the region continued their bilateral and regional cooperation efforts. A series of online meetings and conferences on drug-related matters was held in late 2020 and throughout 2021, including on future cooperation in intelligence-sharing, joint law enforcement, the training of officers and technical assistance.

655. In April 2021, the Office of the Narcotics Control Board of Thailand and the ASEAN Narcotics Cooperation Centre organized the tenth meeting of the ASEAN Drug Monitoring Network. During the meeting, which was held online, officials and experts exchanged views on improving the quality of data inputs used for the *ASEAN Drug Monitoring Report*, after which a workplan for the period 2021–2022 on regular data submission and analysis for the preparation of the report was endorsed.

656. Following the forty-first ASEAN Senior Officials Meeting on Drug Matters and the tenth meeting of the ASEAN Airport Interdiction Task Force, the countries of the region also discussed drug-related matters during the fifth meeting of the ASEAN Seaport Interdiction Task Force and the fourth meeting of the Advisory Council on Dangerous Drugs of the ASEAN Inter-Parliamentary Assembly.

657. In October and November 2020, the ASEAN Training Centre for Preventive Drug Education, based in the Philippines, facilitated a series of webinars on the topic “Rethinking preventive drug education for the new normal: the ASEAN experience”. Countries were invited to share experiences in preventive education and increasing knowledge among managers and practitioners.

658. In November 2020, customs authorities from 15 countries and territories (Australia, Bangladesh, Brunei Darussalam, Cambodia, China, India, Lao People’s Democratic Republic, Mongolia, Myanmar, Nepal, New Zealand, Singapore, Thailand, Viet Nam and Hong Kong, China) announced the results of a joint operation called “Mekong Dragon II”. The operation was focused on disrupting trafficking in drugs and wildlife products with the support of UNODC, the Regional Intelligence Liaison Office for Asia and the Pacific and WCO. It resulted in the disruption of criminal networks and provided insights into the methods used to overcome COVID-19-related border restrictions and transportation limitations. In July 2021, over 300 seizures were reported in the midterm review of Operation Mekong Dragon III, exceeding the figure for the entire year 2020.

659. In December 2020, the INCB GRIDS Programme hosted an online training event on IONICS for customs, postal inspection and health regulatory officers. In addition to participants from South Asia, the two-day event involved 31 officers from the Lao People’s Democratic Republic, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam, as well as Hong Kong, China, and the Asian-Pacific Postal Union.

660. In addition, countries of the region continued to cooperate and undertake joint activities on the ground. For example, law enforcement authorities of China, the Lao People’s Democratic Republic, Myanmar and Thailand jointly patrolled the Mekong river basin. As of July 2021, their cooperation had led to the detection of more than 3,000 drug-related cases and seizures of over 20 tons of drugs.

661. In March 2021, a special notification on xylazine was sent through the GRIDS Programme to all Project

Ion and OPIOIDS project focal points. Preceding the special notification, INCB noted increased communications involving the substance in IONICS. Through the GRIDS Programme, information relating to xylazine trafficking was provided to the relevant focal points in East and South-East Asia. Xylazine is commonly used in veterinary medicine as a sedative with analgesic and muscle relaxant properties, and there have been recent increases in incidents involving the substance. INCB open net monitoring found that it is being marketed on online platforms in South Asia and East and South-East Asia.

662. Also in March 2021, the GRIDS Programme provided customs officers with interdiction training in Ho Chi Minh City, Viet Nam, on NPS, synthetic opioids and other dangerous substances in order to strengthen the exchange of practical information on trafficking through the IONICS communication platform.

663. The competent national authorities of Indonesia, Malaysia, the Philippines, Singapore, Timor-Leste and Viet Nam participated in an online training event organized by INCB Learning. In 10 online sessions, participants strengthened their knowledge of the reporting requirements under the three international drug control conventions that are aimed at ensuring adequate availability of and access to controlled substances.

664. Twelve out of the sixteen countries of the region made use of e-learning modules developed by INCB Learning. The modules offer self-paced interactive training on the estimates system for narcotic drugs, the assessment system for psychotropic substances, estimates of annual legitimate requirements for imports of precursors of ATS, and the international drug control framework.

3. National legislation, policy and action

665. On 1 January 2021, Cambodia launched its sixth annual anti-drug campaign plan. The plan contains measures to effectively combat drug use and trafficking, including increasing research, investigation and prevention activities, providing outreach education on the negative impacts of drugs, cooperating with the private sector, non-governmental organizations and media outlets, and targeting drug trafficking. The plan calls for strengthened international cooperation, including with neighbouring countries, and for building additional rehabilitation facilities to provide treatment for drug users.

666. In Myanmar in February 2021, the military staged a coup d'état and overthrew the democratically elected

Government. On 18 June, the General Assembly adopted resolution 75/287, in which it condemned the lethal violence by the Myanmar armed forces since 1 February 2021. The ongoing political crisis, compounded by the COVID-19 pandemic, will continue to exacerbate the grave security and economic conditions in the country, which are likely to create incentives for farmers to return to opium poppy cultivation, given the decreased alternative livelihood opportunities, and contribute to a conducive environment for drug traffickers to increase their criminal activities across the country's borders.

667. There have been several recent developments with regard to the use of cannabis and products containing CBD in Thailand. As of December 2020, extracts containing CBD that do not have a THC content of more than 0.2 per cent by dry weight would not be considered narcotic drugs. Any plant with a THC content higher than 1 per cent by dry weight continues to be considered marijuana, a category 5 narcotic under the country's Narcotics Act. In addition, at the beginning of 2021, the Food and Drug Administration of Thailand legalized the commercial production of cannabis plant by private companies exclusively for industrial purposes (fibre or seed) or horticultural purposes (sometimes referred to as "hemp" or "industrial hemp"). In order to do so, private companies must obtain a licence, which must be renewed annually. The ministerial regulation on the use of "hemp" has been amended to allow for its commercial production, use and trade. Furthermore, following an amendment to the Food Act, parts of the plant produced domestically are allowed to be used in food.

668. In May 2021, the Government of Thailand amended the Narcotics Act (No. 8) (2021), removing kratom (*Mitragyna speciosa*), a plant-based psychoactive substance not under international control, from category 5 of the country's list of narcotics. The revised legislation decriminalizes the consumption, production, disposal, import, export and possession of kratom from 24 August 2021. Draft legislation that regulates the sale and use of the substance, providing for licensing requirements for growing, selling, importing and exporting kratom for industrial purposes, is under preparation.

669. In November 2021, Thailand published a new Narcotics Code, combining 24 pieces of narcotic-related legislation into a single Act. The new codification is part of a reform of the national drug control system aimed at implementing a health-based approach and addressing the overcrowded prison system. As part of the reform, the Ministry of Health will take a leading role in the provision of drug use treatment and rehabilitation services. The reform also introduced proportionate punishment for each drug offence by revoking minimum punishment for

minor drug offences and expunging the criminal records of people who use drugs who voluntarily undertake drug treatment. The Narcotics Control Board is authorized to identify areas for growing narcotic plants, produce narcotic drugs and promote harm-reduction activities for scientific and research purposes. The new code will enter into force in December 2021.

670. Effective 28 May 2021, the production and import of cosmetic products containing cannabis sativa fruit, seed oil or leaf extract are prohibited in China, following the revision of the catalogue of prohibited plant and animal raw materials for cosmetics by the National Institutes for Food and Drug Control of China.

671. Information about the drug situation in the Democratic People's Republic of Korea remains very limited. However, according to the country's national news service, a law on the prevention of drug-related crimes was passed in July 2021. It is unclear whether the new law replaces or supplements the Law on Narcotic Drug Control of 2003.

672. Effective 1 July 2021, China placed synthetic cannabinoids under national control using a generic definition. Synthetic cannabinoids are functionally similar to *delta*-9-THC, the principal psychoactive constituent of cannabis, as they bind to the same cannabinoid receptors in the brain and other organs.

673. According to the Office of the National Narcotics Control Commission of China, no fentanyl analogues were detected in the country between May 2019 and March 2021. From 1 May 2019, China placed fentanyl-related substances, as a class-wide group, under national control. Controlling groups of substances in this manner, also known as the "generic approach", enables countries to control a large number of substances at once without necessarily having to name them individually in the legislation. This approach also makes it possible to anticipate controls on new substances that may arise. Between 2015 and 2020, 60 NPS were placed under international control, of which 18 were synthetic cannabinoids and 13 were synthetic opioids; the latter were mostly fentanyl analogues.

674. The Working Group on Arbitrary Detention mentioned several countries of the region in its study entitled "Arbitrary detention relating to drug policies", submitted to the Human Rights Council at its forty-seventh session (A/HRC/47/40). In the study, the Working Group noted that people who used drugs were particularly at risk of arbitrary detention. It also expressed concern about the increasing number of instances of drug-related arbitrary detention. According to the study, in Cambodia and

Indonesia, more than 20 per cent of the prison population are people incarcerated for drug-related offences. The Working Group recalled that it had previously expressed concern about preventive detention regimes that provide for the incarceration of suspected drug traffickers without trial for long periods and noted that approximately 100,000 prisoners had been held awaiting trial on non-bailable drug-related offences for an average of 528 days in the Philippines in 2018. A study in Indonesia of individuals imprisoned for drug-related offences had found that 79 per cent experienced abuse in the arrest phase, while over 86 per cent reported torture or ill-treatment in detention. The Working Group also noted that corporal punishment was used as punishment for drug-related offences in Brunei Darussalam, Malaysia and Singapore.

675. According to the Thailand Institute of Justice, which is a member of the United Nations crime prevention and criminal justice programme network, the country's incarceration policies have led to an increase in the number of COVID-19 cases among prison populations. According to the report, 80 per cent of prisoners in the country are incarcerated for drug-related offences, mostly related to methamphetamine.

676. During the forty-sixth session of the Human Rights Council, held in February 2021, the Secretary of Justice of the Philippines confirmed that the panel established to investigate cases of deaths during drug operations had commenced its initial work and had identified cases in which law enforcement agents failed to follow standard protocols regarding coordination with other agencies and the handling of crime scenes. In June 2021, it was announced that the panel and the Department of Justice had received access to records on additional cases involving administrative liability against hundreds of police personnel for alleged misconduct committed in the course of anti-narcotic operations.

677. Upon completion of the preliminary examination of the situation in the Philippines, in June 2021, the Prosecutor of the International Criminal Court at the time, Fatou Bensouda, announced her request for judicial authorization to proceed with an investigation with regard to possible crimes against humanity, specifically murder, in the context of the country's "war on drugs". In the preliminary examination, which began in February 2018, alleged crimes committed by the Government of the Philippines since 1 July 2016 were analysed. On 15 September 2021, Pre-Trial Chamber I of the Court granted the Prosecutor's request.

678. The Board reiterates in the strongest possible terms its view that extrajudicial responses to drug-related

criminality are in clear violation of the international drug control conventions, which require that drug-related crime be addressed through formal criminal justice responses and strict adherence to internationally recognized due process standards. Governments are reminded that the three international drug control conventions include a commitment to a humane and balanced approach requiring the parties to give special attention to, and take all practicable measures for, the prevention of drug use and the early identification, treatment, education, aftercare, rehabilitation and social reintegration of the persons affected.

679. In August 2021, the Government of the Lao People's Democratic Republic introduced a new national agenda on drug prevention and control. It envisages the adoption of new laws and regulations, as well as amendments to existing ones, and awareness-raising on different aspects of drug-related issues. While specific coordination mechanisms are yet to be defined, the agenda contains a call for the sharing of responsibility among various ministries, central agencies and local-level administrations. The agenda also highlights the need for the Ministry of Public Security to cooperate with the Ministries of Health, Labour and Social Welfare and Education to improve the quality of treatment facilities in the country and to build stronger vocational centres to assist people who have undergone treatment. The national agenda is to be implemented between 2021 and 2023.

680. According to civil society groups, death sentences for drug-related offences continue to be imposed in a number of countries in the region, in particular China, Indonesia, the Lao People's Democratic Republic, Malaysia, the Philippines, Singapore, Thailand and Viet Nam. In several countries of the region, drug-related offences account for a significant portion of the death sentences imposed by the criminal justice systems.

681. In view of the relevant international conventions and protocols and the resolutions of the General Assembly, the Economic and Social Council and other United Nations bodies on the application of the death penalty, the Board reiterates its call upon all States that retain the death penalty for drug-related offences to consider abolishing it for such offences and commuting death sentences that have already been handed down.

4. Cultivation, production, manufacture and trafficking

682. Over the past decade, the region has experienced a profound increase in the manufacture of and trafficking

in synthetic drugs, in particular methamphetamine, in both crystalline and tablet form. Together with the increased presence of synthetic cannabinoids and benzodiazepine-type NPS, the region faces challenges in reducing both demand and supply. Trafficking routes span nearly the entire region, from China in the north to Timor-Leste in the south.

683. In 2020, a number of countries in the region recorded significant increases in the quantities seized, with those of methamphetamine amounting to nearly 170 tons, the largest amount ever reported from the region. The amount of crystalline methamphetamine seized in Brunei Darussalam in 2020 was three times the amount recorded for the past five years combined, despite a full lockdown being imposed in the country for part of that year. Similar trends have been observed in other parts of the region, including the Lao People's Democratic Republic and Hong Kong, China. The largest volume of methamphetamine seized by a single country in the region in 2020 was reported by Thailand, and Cambodia reported seizures of record amounts of both methamphetamine and heroin in that year. Myanmar reported seizures of over 60 different narcotic drugs and chemical precursors with an estimated value of over \$650 million in 2020.

684. In 2020, a total of 35 manufacturing and tablet-processing facilities, primarily for crystalline methamphetamine and "ecstasy", were dismantled in Malaysia. According to the Narcotics Crime Investigations Department of the Royal Malaysia Police, illicit drug manufacturing has been taking place in small laboratories rather than large-scale facilities in recent years, indicating a growing presence of local syndicates.

685. Similarly, the dismantling of large-scale illicit drug manufacturing sites has been declining in China. In 2020, 167 clandestine laboratories were dismantled and 1.1 tons of methamphetamine and ketamine were seized. Drug manufacturing activities, mostly small in scale, were discovered in 27 provinces. Clandestine laboratories have also been dismantled in other countries, including Myanmar.

686. China and Japan saw a sharp decrease in the amount of methamphetamine seized, potentially as a result of the COVID-19 mobility restrictions in place in 2020. The amount of the substance seized in China decreased by 65 per cent in comparison with 2015.

687. In Japan, the number of drug trafficking cases decreased by nearly 50 per cent compared with 2019, and the number of people involved in such cases decreased by nearly 45 per cent. The country, however, remained a

target for local and transnational organized criminal groups involved in drug trafficking, owing to the high price commanded by crystalline methamphetamine in the country. Synthetic cannabinoids represented the largest share of cases involving NPS in the country.

688. Synthetic cannabinoids continue to dominate the market for NPS in many countries of the region. Indonesia recorded seizing the largest quantities in this subgroup, partially as a result of the domestic manufacture of FUB-AMB (MMB-FUBINACA, AMB-FUBINACA) and/or AB-CHMINACA, NPS that are sprayed onto tobacco products. The Republic of Korea has also seen increases in seizures of synthetic cannabinoids; in 2020, more of those substances were seized than in the preceding five years combined. In addition, the region continued to face issues regarding NPS with sedative and hypnotic effects, in particular benzodiazepine-type NPS, also known as designer benzodiazepines.

689. Indonesia continued to seize the largest amounts of cannabis herb in East and South-East Asia, with seizures amounting to nearly 54 tons in 2020.

690. According to the *Myanmar Opium Survey 2020: Cultivation, Production and Implications*, the area under opium poppy cultivation in Myanmar has been declining since 2014. In 2020, the estimated area was 29,500 ha, representing a decrease of 11 per cent in comparison with 2019. Potential opium production was estimated at 405 metric tons in 2020, a decrease of 103 tons compared with 2019. The quantity of opiates seized in Myanmar increased significantly compared with 2019, with the weight of opium seized increasing by 285 per cent, to 6,506 kg, and heroin increasing by 100 per cent, to 1,389 kg. While the Lao People's Democratic Republic remained a producer of opium, a downward trend in the size of the area under illicit opium poppy cultivation has been noted since 2014, as has a decrease in the amounts seized since 2017, partially owing to the successful implementation of alternative development projects in some provinces.

691. Heroin accounted for the largest share of the market for opiates in Myanmar in 2020. Domestic heroin consumption was estimated at 6 tons and was valued at between \$144 million and \$315 million, whereas international trafficking was estimated at 13 to 53 tons and was worth between \$299 million and \$1.205 billion. Estimated domestic opium consumption and international trafficking accounted for smaller shares of the market value, namely, \$17 million and \$42 million, respectively.

692. The quantity of "ecstasy" tablets seized in the Republic of Korea in 2020 tripled compared with 2019,

while its retail price halved, dropping to the lowest level observed in recent years. The National Police Agency confiscated illicit drugs with an estimated value of \$400 million.

693. The use of the Internet for drug trafficking has further expanded in the region. According to the Office of the Narcotics Control Board of Thailand, from March to December 2020, up to 2,300 user accounts associated with drug trafficking were operating on various platforms and social networks, among which nearly 80 per cent were classified as new accounts. The Internet is used to sell small quantities of ATS, including methamphetamine, crystalline methamphetamine and "ecstasy", and cannabis. In the Republic of Korea, the number of arrests of drug dealers using the darknet and virtual currency, which had accounted for only 1.8 per cent of the total drug-related arrests in the first half of 2020, increased to 7 per cent (339 arrests) in the first half of 2021. To curb the use of illicit online channels, the National Policy Agency has deployed darknet investigation trial teams in six provinces.

5. Prevention and treatment

694. Many countries in the region still lack mechanisms for gathering information on the scope and nature of drug use and treatment demand. **The Board encourages the countries of the region to prioritize the collection of data on drug use trends and treatment demand in order to inform the development of evidence-based decisions in the area of prevention and treatment, and encourages bilateral partners and regional and international organizations to provide support to this end.**

695. According to the annual report of the ASEAN Narcotics Cooperation Centre, the number of drug users admitted to treatment services in 2019 decreased by 14.5 per cent compared with the previous year. Indonesia has the lowest admission rate, and Thailand has the highest. The drugs most commonly used by persons admitted for treatment in 2019 were ATS, which accounted for three quarters of the total, followed by opiates and opioids, and cannabis.

696. In 2020, there were an estimated 65,000 drug users in the Lao People's Democratic Republic, 86 per cent of whom used methamphetamine as their primary drug. Malaysia recorded over 22,500 drug users, with 60 per cent using primarily methamphetamine. The number of registered users of ATS in Viet Nam increased compared with 2019, to nearly 200,000 users, or 80 per cent of all registered drug users in the country. The Narcotics

Control Bureau of Brunei Darussalam made nearly 700 arrests under the Misuse of Drugs Act in 2019, representing 0.51 per cent of the total population. Over 60 per cent of those arrested were aged between 20 and 39. Most arrests were made for the consumption of controlled drugs, followed by the possession of illicit drug paraphernalia and possession of drugs. While methamphetamine is the main drug of concern in the country, cannabis is the most prevalent among young people and students.

697. According to the Government of China, the number of registered drug users has continued to decline in the country since 2016 and reached a record low of 1.8 million in 2020. Nearly 60 per cent used synthetic drugs, followed by more than 40 per cent using opioids. According to the Office of the National Narcotics Control Commission, the country continues to establish voluntary rehabilitation facilities to provide medical treatment services to drug users, with a particular focus on the most vulnerable, namely those with health conditions or disabilities. Furthermore, China has been operating the community-based “Safe care” rehabilitation initiative for drug users for five years. Under the programme, a total of 894,000 drug users have received treatment and rehabilitation.

698. In Singapore, the number of people admitted to drug use treatment for methamphetamine use has been increasing steadily since 2017. Over the past two years, there has also been an increase in the number of users of NPS, most notably synthetic cannabinoids.

699. In 2020, Singapore continued activities under its preventive drug education programme. As a result of the pandemic, several outreach efforts were carried out online. With regard to treatment, Singapore continues to implement its national policy of placing people who use drugs into its enhanced drug rehabilitation regime, provided that they are not charged with any other criminal offence. According to a recent study by the Singapore Prison Service, the two-year recidivism rate among drug users who went through the regime was 8 per cent lower than among those who did not.

700. Malaysia continued to implement its demand-reduction strategy, which includes prevention, treatment and rehabilitation and harm-reduction measures. In 2020, 155 areas within the country were designated as high risk, and a pilot preventive education project was launched in cooperation with non-governmental organizations. The project targets families living in those high-risk areas and is aimed at raising awareness of drug use, in cooperation

with popular public figures and representatives of the private sector.

701. Malaysia continues to implement harm-reduction measures, in particular medication-assisted therapy and needle-exchange programmes, in order to reduce the rate of HIV infections, viral hepatitis and other blood-borne diseases associated with drug use, in accordance with the targets set out in its national strategic plan on ending AIDS for the period 2016–2030.

702. In the Republic of Korea, the number of indicted drug users whose prosecution was deferred and who were placed on probation after completing treatment and rehabilitation programmes increased by over 12 per cent in 2020 compared with the year before. The figures reflect the implementation of the country’s eradication of drugs initiative, which gives priority to treatment and rehabilitation, instead of punishment, for drug users in order to promote their rapid return to society.

703. According to news reports in Cambodia, during the first quarter of 2021, over 9,000 people volunteered to receive drug use treatment and rehabilitation services in the country. Overall, Cambodia has 18 drug rehabilitation centres, of which 11 are State-run, 3 are private establishments and 4 are run by non-governmental organizations. In addition, there are 450 community health centres and hospitals that offer some drug use treatment services. Over the period 2017–2020, more than 80 per cent of all people admitted to drug use treatment centres in Cambodia were aged between 18 and 35.

704. The main drug of concern in Thailand continued to be methamphetamine, followed by cannabis and heroin. The number of people in treatment for methamphetamine use disorders, who accounted for nearly 77 per cent of all people in treatment for drug use disorders in 2020 and 87 per cent in 2019, declined from the peak of 278,000 in 2013 to less than 200,000 in 2019. In the Philippines, a decline in the overall number of people admitted for drug use treatment was also observed in 2020.

705. In 2020, more than 190,000 persons underwent drug rehabilitation treatment in Thailand, among whom about 67 per cent were new users, nearly 90 per cent were males and some 50 per cent were aged between 20 and 34. The Office of the Narcotics Control Board of Thailand, in cooperation with the Ministry of Public Health and the Bangkok Metropolitan Administration, organized a working team that provided community-based treatment

and rehabilitation services for 1,421 persons in their villages and communities.

706. Thailand has introduced new approaches to drug demand reduction. Community-based treatment supports community treatment of people who use drugs, as an alternative to their treatment in hospitals, and includes the use of traditional medicine, community counselling and reintegration, education and vocational training. The treatment requires registration with the Ministry of Health and the Office of the Narcotics Control Board. In the area of prevention, numerous education, information and social programmes have been launched, as well as a “Safe zone” initiative aimed at reducing drug use by strengthening the educational institutions network and supporting youth, workplace and community leaders in providing safe areas.

707. In Myanmar, 29 treatment centres and 56 clinics have been established to provide treatment services, in addition to public rehabilitation centres. In addition, 71 medication-assisted therapy treatment centres providing methadone offer services to over 25,000 people. In 2020 alone, nearly 10,000 persons entered medication-assisted therapy treatment. As substance use disorder is considered a chronic disease in Myanmar, the rehabilitation process includes aftercare services, reintegration into society, mental and physical rehabilitation and vocational training. The Ministry of Health and Sport of Myanmar issued an order under which methadone replacement therapy clients were provided with take-home doses for 14 days, with the aim of avoiding COVID-19 transmission in treatment centres.

708. In Japan, the number of persons brought into formal contact with the authorities for drug-related violations in 2020 increased by 5.1 per cent compared with the previous year. While methamphetamine remained the most widely used drug in the country, the number of persons arrested for cannabis-related offences has been increasing over the past seven years and reached a record high in 2020. Over 60 per cent of cannabis-related offences were committed by people aged under 30, indicating a concerning concentration among the young.

709. The Republic of Korea has also seen an increase in the number of people arrested for drug-related offences. In 2020, the number of people who came into contact with the police increased by over 50 per cent compared with 2018. In the first half of 2021, over 36 per cent of all persons arrested were aged under 20. According to the National Police Agency, the rise in the number of drug offences among young people could be linked to the increased use of the Internet as a platform for the illicit drug trade.

South Asia

Pharmaceutical opioids continue to be seized in large quantities in South Asia, with codeine and codeine-based cough syrups, followed by tramadol, an opioid not under international control, fentanyl and methadone being the most commonly encountered.

The global trend of purchasing drugs over the Internet, in particular on darknet trading platforms using cryptocurrencies, has continued to spread in the region.

COVID-19-related lockdowns in the region made it increasingly difficult for people with substance use disorders to access health-care facilities.

1. Major developments

710. COVID-19-related restrictions do not appear to have affected heroin interceptions in South Asia. While the pandemic caused the global economy to slow down, the organized criminal groups that dominate Asian markets appeared to adapt quickly. They started using new methods of drug trafficking, such as the use of shipping containers and postal services, and the darknet for transferring proceeds through cryptocurrency payments.

711. An increase in maritime trafficking in heroin and other opiates sourced from West Asia has continued to be observed in the region; several major seizures were recorded during the reporting period, on both the eastern and western sides of the Indian Ocean. Drug trafficking in South Asia is also linked to other forms of organized crime, such as trafficking in persons, trafficking in wildlife and cybercrime. The manufacture of synthetic opioids remains concentrated in a few countries, including some in South Asia.

712. Although substantial increases in the quantities of ketamine seized in South Asia have been reported over the past few years, illicit ketamine laboratories have been dismantled in an increasing number of countries in South-East Asia, suggesting a partial geographical relocation of ketamine manufacturing sites from South Asia to South-East Asia.

713. South Asia continues to be among the regions with the highest prevalence of opiate use (1.1 per cent of the population aged 15–64). Based on UNODC estimates, there were about 21.7 million past-year users of heroin and opium in 2019 in Asia, or nearly 70 per cent of the

31 million past-year opiate users worldwide (about 0.6 per cent of the global population aged 15–64).

714. COVID-19-related lockdowns in some South Asian countries made it difficult for people with substance use disorders, in particular those from socioeconomically disadvantaged backgrounds, to access health-care facilities. This is of particular concern for those who require daily access to medications for opioid agonist treatment.

2. Regional cooperation

715. On 7 December 2020, the INCB GRIDS Programme hosted online training on IONICS for customs, postal inspection and public health regulatory officers from South and South-East Asia. More than 40 officers from India, the Lao People's Democratic Republic, Malaysia, Myanmar, the Philippines, Singapore, Sri Lanka, Thailand and Viet Nam, as well as Hong Kong, China, participated in the two-day event. Representatives of the Asian-Pacific Postal Union, an intergovernmental organization for national postal operators in the Asia-Pacific region, also participated.

716. Countries in the region continued to cooperate on drug-control issues through a number of regional initiatives, among them the South Asian Association for Regional Cooperation and the Indian Ocean Forum on Maritime Crime.⁵⁴ One such undertaking was the maritime domain awareness initiative, as part of which the UNODC Global Maritime Crime Programme organized a series of meetings on countering drug trafficking in February 2021. The aim was to improve efforts to detect illicit activity (i.e. detection, threat awareness and efficient response) and to identify mechanisms to counter it through technology, regional partnerships, inter-agency cooperation and training.

717. In 2021, the UNODC Regional Office for South Asia continued to support capacity-enhancement initiatives for drug law enforcement agencies in the region. In the first half of 2021, more than 2,000 officers participated in both online and hybrid training programmes in areas related to investigation, evidence-gathering, interdiction, prosecution and information- and intelligence-sharing techniques. Training was provided to participating agencies, including narcotics control agencies, drug regulatory

authorities, police forces, forensics agencies, customs authorities, railway protection forces and coastguard and border security forces from Bangladesh, India, Maldives and Sri Lanka. Officers from Indian law enforcement agencies also completed online e-learning modules. Specialized training sessions for intelligence officials on darknet interdictions and cryptocurrency investigations were also conducted during the reporting period.

718. The Global Maritime Crime Programme continued to engage with agencies in South Asia to counter the drug-related challenges facing the region. Such challenges include the increased impact of trafficking in heroin and the rise of trafficking in methamphetamine along maritime routes. The Programme provides training and satellite imagery for coastguard and maritime law enforcement agencies to facilitate investigations into the identity of vessels suspected of trafficking in narcotic drugs.

719. In April 2021, foreign ministers of the countries of the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation⁵⁵ held an online meeting to discuss mutual legal assistance in criminal matters, including drug-related crimes. The fifth Summit of Heads of States of the Initiative is scheduled to be held in December 2021 in Sri Lanka.

720. In June 2021, authorities in Bangladesh reviewed the training curriculum on drugs and HIV/AIDS for the effective implementation of harm-reduction programmes. The review was conducted with the support of the UNODC Regional Office for South Asia, in collaboration with national stakeholders including the Department of Narcotics Control, the Bangladesh Prison Authority, the National AIDS and Sexually Transmitted Diseases Programme and the Police Staff College Bangladesh. The goal was to introduce a public health focus and to provide training to all police personnel for the effective implementation of harm-reduction programmes in Bangladesh.

721. In September 2021, the meeting of the Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, was held as part of an extraordinary hybrid session of the subsidiary bodies of the Commission on Narcotic Drugs. The discussions during the meeting were focused on the impact of COVID-19 on criminal activities and the increasing links between drug trafficking and other forms of organized crime, the proceeds of

⁵⁴All six South Asian countries and Afghanistan and Pakistan are members of the South Asian Association for Regional Cooperation. Bangladesh, Maldives and Sri Lanka are members of the Indian Ocean Forum on Maritime Crime, which is a law enforcement coordination initiative among Indian Ocean coastal States launched by UNODC in 2015 to combat maritime crime, including drug trafficking.

⁵⁵The Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation is a regional organization comprising seven member States located in the littoral and adjacent areas of the Bay of Bengal. Five member States (Bangladesh, Bhutan, India, Nepal and Sri Lanka) are located in South Asia, and two (Myanmar and Thailand) are located in South-East Asia.

money-laundering arising from drug trafficking and the criminal misuse of information technologies for illicit drug-related activities.

3. National legislation, policy and action

722. In Bhutan, legislation to allow for the use of cannabis for medical purposes is under preparation. However, in June 2021, the debate in the legislative body on the necessary amendment bill of the Narcotic Drugs, Psychotropic Substances and Substance Abuse Act of Bhutan was postponed.

723. In India, an amendment to the Narcotic Drugs and Psychotropic Substances (Second Amendment) Rules, 2021, related to the requirements for the issuance of export authorizations for narcotic drugs and psychotropic substances (rule 58) was published in the *Official Gazette* on 16 July 2021. The change introduced is aimed at regulating the export of certain substances that are classified as psychotropic substances for export in India but are not controlled internationally. This category includes, for example, tramadol and ketamine, which India has exported in large volumes. In view of different control regimes at the national and international levels for such substances, the change provides for alternative procedures in situations where the importing country does not provide the import certificate to the competent authority in India, as required under the regulations in India.

724. In Maldives, a drug use treatment facility for the prison population was established by the National Drug Agency, with support provided by UNODC. The facility, which was mandated under the Drug Act of 2011, is expected to address overcrowding challenges in prisons and provide targeted interventions for people in custody who use drugs.

725. In Sri Lanka, the National Policy for the Prevention and Control of Drug Abuse is under review to identify and rectify existing gaps in respect of drug use prevention control, in line with the international drug control conventions. In the second half of 2020, the Drug Dependent Persons (Treatment and Rehabilitation) Act No. 54 of 2007 of Sri Lanka was amended to include provisions on conducting a situational analysis and needs assessment on drug use patterns, drug use prevention and treatment services.

4. Cultivation, production, manufacture and trafficking

726. The global trend of purchasing drugs over the Internet, in particular on darknet trading platforms using cryptocurrencies, has continued to spread in the region. India was among the most frequently mentioned destination countries for shipments of synthetic stimulants sold on 19 major darknet markets analysed by UNODC between 2011 and 2020.⁵⁶

727. In South Asia, COVID-19-related restrictions do not seem to have affected interceptions of heroin. Initial data reported by countries on individual drug seizures indicate an upward trend in the quantities of heroin and morphine seized; this trend appears to have continued throughout 2020. Pharmaceutical opioids were also seized, with codeine and codeine-based cough syrups, followed by tramadol, an opioid not under international control, fentanyl and methadone being the most frequently encountered. The largest quantities of pharmaceutical opioids seized in 2019 in the region were reported by Bangladesh and India.

728. Cocaine trafficking to and through the region is increasing, with India reporting seizing the largest amount in South Asia. The total quantity of the drug seized in Asia in 2019 amounted to 19.1 tons, a manyfold increase from the 1.3 tons reported in 2015. In the period 2015–2019, the quantities of cocaine seized in South Asia were estimated to represent 7 per cent of overall cocaine seizures reported from Asia.

729. In Bangladesh, 36.4 million methamphetamine tablets were seized in 2020, which was slightly higher than the total number reported seized in 2019. Seizures of methamphetamine tablets continued along the borders with India and Myanmar throughout 2020 and early 2021: 190,000 tablets were seized in July 2020, 300,000 in August 2020 and 241,900 in March 2021.

730. In Bhutan, the amount of cannabis seized increased by more than 312 kg between 2018 and 2020. Other drugs trafficked into Bhutan, although in smaller quantities, included heroin and methamphetamine (in crystalline form). Seizures of substances not under international control, such as ketamine and khat (*Catha edulis*), were also reported.

⁵⁶The 19 darknet markets analysed by UNODC over the period 2011–2020 are listed below according to the dates of the operations conducted, from the oldest to the most recent: Silk Road, Silk Road 2, Pandora, Hydra, Black Market Reloaded, Agora, Evolution, AlphaBay, Berlusconi Market, TradeRoute, Valhalla, Wallstreet, Dream Market, Cannazon, Empire, Dark Market, Hydra Market, Versus and Whitehouse.

731. The most commonly misused pharmaceutical drug in Bhutan is tramadol (brand name Spasmo-Proxyvon Plus). Nearly 90,000 capsules were seized in 2019; in 2020, a seizure of more than 91,577 capsules was recorded during a period of border closures and, in the first half of 2021, a further 12,037 capsules were seized. The amounts seized of zitrzepam (brand name Nitrosum 10), a benzodiazepine not under international control that is used to treat insomnia, declined by almost 29 per cent in 2019 compared with 2018 and by 122 per cent in 2020 compared with 2019, with no seizures in the first half of 2021. The non-medical use of Corex (also available under the brand name Recorex), a codeine-based cough syrup, increased in 2019 by more than 126 per cent compared with 2018, but then declined in 2020.

732. The large chemical and pharmaceutical industries in India are vulnerable to the diversion of products to illicit markets by criminal networks. The global demand for pharmaceutical products has given rise to commercial chemical factories capable of manufacturing large volumes of ephedrine, methamphetamine and other drugs. At the same time, as worldwide demand for synthetic drugs and opioids continues to grow, the risk of diversion of illicitly manufactured fentanyl, methamphetamine, opioids and other substances and their trafficking within and out of India is expected to increase. In India, approximately 1 ton of heroin was seized during the first four months of 2020, which represents one third of the total quantity seized in the previous year, suggesting a level of supply or interdiction similar to that observed in 2019.

733. The amounts of trafficked tramadol seized worldwide during 2020 decreased, possibly as a result of regulations on exports of the substance enacted by the Government of India in 2018.

734. The quantities of heroin and cannabis seized in Maldives continue to rise. Between 2011 and 2020, at least 55 tons of cannabis and 204 tons of heroin were reported seized by the Maldives Police Service. Between 2011 and 2020, at least half of the cases investigated by law enforcement agencies were linked to drug trafficking by sea.

735. Sri Lanka has reported intercepting significant quantities of heroin in its territorial and international waters. In 2019, the country reported seizing the largest amounts of heroin ever, with a total of 1,742 kg; 1,630 kg of heroin were seized in 2020. Other drugs seized in 2020 included 16,195 kg of cannabis, 1.6 kg of cocaine and 91 kg of methamphetamine.

5. Prevention and treatment

736. The availability of narcotic drugs and psychotropic substances for medical and scientific purposes continues to be problematic in the region. Countries in South Asia have been reporting average per capita consumption of such substances below the level defined by the Board as adequate. Detailed information on country-specific consumption levels is available in the technical publications of the Board on narcotic drugs and psychotropic substances. **The Board reiterates the importance of ensuring adequate availability of and access to internationally controlled substances for medical purposes, in particular for pain management.**

737. The COVID-19-related lockdowns implemented in South Asia made it increasingly difficult for people with substance use disorders to access health-care facilities. The reduced availability or total absence of public transportation had a negative impact on the ability of patients, especially those from socioeconomically disadvantaged backgrounds and those requiring daily access to medication for opioid substitution treatment, to access treatment centres.

738. The conventional method for obtaining medically assisted opioid substitution treatment is direct dispensation, which requires patients to attend facilities on a near-daily basis and often to take the medication (buprenorphine or methadone) on site, in the presence of staff. The method is aimed at encouraging personal engagement and fostering a therapeutic relationship with patients. In this way, the diversion of medication can be prevented, while ensuring continuity of supply to the personally identified recipient of the medication. However, COVID-19 restrictions triggered the introduction of policy changes that have facilitated access to opioid agonist medication while reducing physical contact between patients and health-care personnel. In India, take-home doses of buprenorphine and methadone were approved and successfully implemented as an emergency measure in some treatment centres and states; the permitted take-home dose of buprenorphine in the country is 7–14 days. Such measures have been considered a success and may be continued beyond lockdown periods, thereby offering greater flexibility to people who are enrolled in opioid agonist treatment programmes.

739. At the same time, technology has accelerated the development of products and computer-based applications to help both people who use drugs and those who provide treatment services. For example, in India, doctors who provide opioid agonist treatment received online training over a new online platform, and freely accessible

Internet-based educational materials were developed to help health professionals address opioid use disorder treatment.

740. In South Asia, opiates (opium, morphine, codeine and heroin) are the predominant form of opioids misused. Available data on the prevalence of opiate use indicate that the region, primarily India, has the largest number of opiate users worldwide, estimated at 12 million people, far more than in any other region. Significant quantities of opiates for domestic consumption in South Asia are likely trafficked from South-West Asia.

741. Opioid use prevalence rates in South Asia (2 per cent of the adult population) are higher than the global average of 1.2 per cent. About 35 per cent of global opioid users, or about 60 per cent of opioid users in Asia, reside in South Asia, according to UNODC. In contrast, the annual prevalence of amphetamine use in the region is estimated at less than 0.2 per cent of the adult population, which is below the global average of 0.5 per cent.

742. In India, less than 0.2 per cent of the population aged 10–75, or about 1.9 million people, reported past-year use of ATS and an estimated 0.2 per cent of men and 0.01 per cent of women of the same age group, or an estimated total of 1 million people, reported past-year cocaine use in 2018.

743. In Nepal, according to the Nepal Drug Users Survey 2020, the total number of registered drug users reached 130,424. The average annual growth rate of the number of drug users over the past seven years is estimated at slightly more than 5 per cent. The majority of drug users (69.5 per cent) in Nepal are aged 20–29.

744. In Sri Lanka, the total number of drug users enrolled in treatment facilities was 1,649 (1,634 male and 15 female) in 2020. Of the total number of reported drug users, 45 per cent were enrolled in treatment centres run by the National Dangerous Drugs Control Board, 11 per cent in treatment centres in prison settings, 14 per cent in non-governmental organization facilities and 30 per cent in the Kandakadu Treatment and Rehabilitation Centre of the Bureau of the Commissioner General of Rehabilitation. Compared with 2019, the total number of drug use treatment admissions declined in 2020. In 2021, the Global Maritime Crime Programme continued to provide assistance to the National Dangerous Drugs Control Board of Sri Lanka to support the expansion of a voluntary in-patient treatment centre, Nawadiganthaya, located north of Colombo. The centre currently has a capacity of 60 beds and is expected to expand to offer 200 beds.

745. **The Board wishes to remind Governments in South Asia of the necessity of collecting and regularly providing data and statistics on drug use prevalence rates and of ensuring the provision of affordable and accessible drug use treatment facilities and services across the entire territory of their countries.**

West Asia

With potential opium production of 6,800 tons in 2021, Afghanistan remains by far the world leader in illicit opium poppy cultivation and opium production. Even though the area under opium poppy cultivation by the end of July 2021 amounted to 177,000 ha, representing a decrease of 21 per cent compared with 2020, potential opium production in 2021 increased by 8 per cent compared with 2020.

Central Asian States continue to face increased trafficking in and misuse of synthetic drugs, including amphetamines, synthetic cannabinoids and various other NPS.

The Board continues to be concerned about the lack of official information and data regarding the prevalence rates of drug use and regarding drug use prevention and treatment efforts in West Asia. It calls upon Member States in the region to strengthen national systems for the collection of data on drug use and develop effective strategies for the prevention of drug use, as well as mechanisms to address dependence through evidence-based treatment, rehabilitation, aftercare and social reintegration.

1. Major developments

746. In 2021, a 21 per cent decrease was recorded in the area under opium poppy cultivation in Afghanistan compared with 2020. As of August 2021, authorities in the country had reported limited eradication of opium poppy cultivation. Estimated potential production of opium in 2021 was 6,800 tons, maintaining the status of Afghanistan as the main illicit producer of opium, responsible for 85 per cent of global production.

747. **The Board continues to express its concern that ongoing large-scale opium poppy cultivation and opium production in Afghanistan, combined with limited**

eradication efforts, will continue to have a negative impact on the efforts of the international community to promote peace, security and sustainable development in the country. The Board acknowledges the extremely volatile situation affecting the civilian population, and expresses the hope that the international community will continue to uphold the importance of effective drug control to protect public health, while preventing the use of the drug economy to support insurgency, as an important point in negotiating lasting peace in the country.

748. Throughout the ongoing COVID-19 pandemic, the Balkan route maintained its status as the main trafficking route for opiates from Afghanistan, through the Islamic Republic of Iran, Turkey and the Balkan countries, towards destination markets in Central and Western Europe. The section of that route that passes from the Islamic Republic of Iran to the countries of the southern Caucasus and then onwards to Ukraine via the Black Sea into Eastern Europe also continued to be used. Similarly, trafficking continued largely unaffected along the northern route, which is used for trafficking Afghan opiates mainly to illicit drug markets in the Russian Federation, via Central Asian States, as well as the southern route, which runs via Pakistan and/or the Islamic Republic of Iran to India, for domestic consumption and onward trafficking to other countries in the region and to Africa, for local markets and smuggling to Europe. The increased use of maritime transport for trafficking in heroin continued in 2020 and 2021.

749. Afghanistan continued to experience growth in trafficking in and illicit manufacture of methamphetamine. Methamphetamine originating in Afghanistan and, to a more limited extent, Iran (Islamic Republic of) has been not only destined for domestic markets, but also trafficked to countries in the Caucasus and Middle East and to countries in Central Asia and South-Eastern Europe. There is increasing evidence that methamphetamine originating in South-West Asia (Afghanistan, Iran (Islamic Republic of) and Pakistan) is being trafficked to further destinations such as Australia, Indonesia and Sri Lanka.

750. Countries in the Middle East continued to face the challenge of trafficking in and misuse of tramadol, while the capacities of the subregion to collect, analyse and monitor the data to assess the full extent of that challenge remained limited.

751. Trafficking in and, more recently, manufacture of the falsified substance “captagon” continued to seriously

affect the Middle East.⁵⁷ While the markets for the substance are mostly within the subregion, and to a lesser extent in North Africa, some major seizures in Austria, Italy and Malaysia may indicate the emergence of new routes and/or markets.

752. Central Asian States continue to face increased trafficking in and misuse of synthetic drugs, including amphetamines, synthetic cannabinoids and various other NPS. It has been observed that traffickers are using Internet and social messaging platforms for illicit sale and marketing. The ongoing increase in the demand for synthetic drugs in Central Asian States is possibly a result of the reduced availability of cannabis and opiates because of pandemic-related restrictions.

753. The Board notes with concern that adequate levels of consumption of psychotropic substances for medical purposes in West Asia have not yet been identified. Determining such levels remains a challenge, as fewer than half of the countries in the region have provided consumption data on any psychotropic substance for the past several years. Of those countries that provided data for 2020, the average consumption of diazepam stood at 2.27 S-DDD_{pt}, while the average consumption of phenobarbital stood at 0.79 S-DDD_{pt}. In both cases, the levels of consumption are consistent with previous years.

2. Regional cooperation

754. On 20 July 2020, Azerbaijan expressed its intent to join the Inter-Regional Network of Customs Authorities and Port Control Units. The Network was established in 2019 as part of UNODC-WCO Container Control Programme efforts to enhance practical cooperation and the exchange of real-time operational information among its members, which currently include Afghanistan, Georgia, Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Turkmenistan, Ukraine and Uzbekistan. The sharing of data on high-risk consignments among Azerbaijan, Georgia and Turkmenistan led to several seizures,

⁵⁷ Captagon was originally the official trade name for a pharmaceutical preparation containing the substance fenethylamine, a synthetic stimulant. As encountered in seizures across West Asia today and referred to in the present report, “captagon” is a falsified drug compressed into pills or tablets that are similar in appearance but distinct from the earlier pharmaceutical preparation Captagon. The active ingredient in counterfeit “captagon” is amphetamine, which is typically cut with multiple adulterants, such as caffeine.

including 274 packs, or 127,344 tablets, of Regapen⁵⁸ by a port control unit in Kyrgyzstan in collaboration with port control units in Kazakhstan and Uzbekistan. Moreover, cross-border information exchange between port control units in Afghanistan and the Customs Administration of Pakistan led to a seizure of 6 tons of iodine, a chemical used in the illicit manufacture of methamphetamine.

755. On 10 November 2020, SCO member States adopted the Moscow declaration in which they expressed concern over the global drug problem and reaffirmed their commitment to effectively carrying out the SCO Anti-Drug Strategy for the period 2018–2023, the Programme of Action for implementing it and the SCO Concept for the Prevention of the Abuse of Narcotic Drugs and Psychotropic Substances. They noted the need to draft a concept for the establishment of an anti-drug centre in Dushanbe, as well as the need to conclude a memorandum of understanding between CARICC and the SCO secretariat for promoting contacts and sharing experience and best practices.

756. The Islamic Republic of Iran was granted observer status at CARICC during a regular meeting of the Council of National Coordinators of CARICC member States, namely, Azerbaijan, Kazakhstan, Kyrgyzstan, the Russian Federation, Tajikistan, Turkmenistan and Uzbekistan, on 27 November 2020. In addition, the Islamic Republic of Iran reported that it had strengthened its cooperation in counter-narcotics with Azerbaijan, Iraq, Kazakhstan, Kuwait, Pakistan, Tajikistan and the United Arab Emirates, agreeing to promote mutual cooperation in exchanging information, hold joint training and improve coordination. In January 2021, Iran (Islamic Republic of) and Kazakhstan signed a security cooperation agreement on combating drug trafficking by sea and established a joint security working group to implement the agreement.

757. During the meeting of its Security Council held in December 2020, the Collective Security Treaty Organization approved its Anti-Drug Strategy for the period 2021–2025. The strategy is designed to facilitate speedy responses to drug trafficking incidents in member States. A coordination meeting of the chief drug use treatment experts of the Collective Security Treaty Organization member States was held in Dushanbe on 16 April 2021. Agreements were reached on the preparation of a range

of draft legislative acts in the field of organizing drug use treatment services.

758. A cooperation meeting among counter-narcotics law enforcement agencies of the countries supported by the Triangular Initiative, which is supported by UNODC and comprises Afghanistan, Iran (Islamic Republic of), Pakistan and the Joint Planning Cell,⁵⁹ was organized by the Drug Control Headquarters of the Islamic Republic of Iran and the UNODC country office in the Islamic Republic of Iran in January 2021, with the aim of further strengthening cooperation in addressing drug trafficking along major drug trafficking routes.

759. The Government of Uzbekistan, with support from the UNODC Regional Office for Central Asia, inaugurated a new port control unit at Yallama customs post in Uzbekistan under the UNODC-WCO Container Control Programme. The unit was established to conduct systematic profiling, selection and inspection of high-risk consignments in order to prevent drug trafficking and other forms of black-market activity while facilitating legitimate trade flows. The first air cargo control unit in Central Asia was also inaugurated in Kazakhstan on 19 February 2021. Its goals include preventing the use of air cargo for drug trafficking and other forms of trafficking and transnational criminal activities while respecting legal trade and promoting aviation security.

760. CARICC and UNODC held a joint expert group meeting with representatives of the General Prosecutor's Office, the Ministry of Internal Affairs and the Financial Monitoring Agency of Kazakhstan on the development of national inter-agency cross-border cooperation mechanisms to effectively disrupt the financing of organized crime. Participants at the event discussed strengthening the capacities of authorities in Kazakhstan to carry out parallel financial investigations and detect financial flows linked to drug trafficking and to strengthen and develop inter-agency and regional cooperation.

761. The Border Service of the National Security Committee of Kazakhstan, in partnership with the UNODC Regional Office for Central Asia, opened a new border liaison office between Kazakhstan and Uzbekistan. In May 2021, the UNODC Regional Office for Central Asia, in partnership with the law enforcement agencies of Tajikistan and Uzbekistan, established two border liaison offices at railway border crossing points on the border

⁵⁸Regapen, sold under the brand names Lyrica and Pregabalin, among others, is an anticonvulsant and anxiolytic medication used to treat epilepsy, neuropathic pain, fibromyalgia, restless leg syndrome and generalized anxiety disorder. However, it can produce euphoria and has an addictive effect, when misused, which led to it being placed under control in many countries of the world.

⁵⁹The Joint Planning Cell is one of the initiatives in UNODC wider "networking the networks initiative", which is aimed at forging close alliances with similar bodies along major trafficking routes. The initiative is designed to create greater effectiveness and efficiency in transnational operations.

between Tajikistan and Uzbekistan. These newly established border liaison offices are aimed at enhancing inter-agency transborder cooperation and intelligence-sharing to effectively counter trafficking, including in narcotic drugs, psychotropic substances and precursors, while facilitating legitimate international trade.

762. From 29 November to 19 December 2020, authorities of Afghanistan, Armenia, Iraq, Kuwait, Qatar, the Syrian Arab Republic, Turkey and the United Arab Emirates participated in Operation New Horizons, an INCB-led, time-bound global intelligence-gathering operation aimed at identifying key sources and redistribution points of tapentadol and tramadol. The objective was to identify and dismantle manufacturing, marketing and distribution points through the exchange of actionable intelligence. The operation brought together 164 officers representing 70 Governments and four international organizations.

763. On 24 February 2021, the INCB GRIDS Programme delivered two separate training webinars to 240 international law and regulatory enforcement officers from 27 countries and territories in Africa, Central America and the Caribbean, East and South-East Asia, North America, Oceania, South Asia, South-East Europe, West and Central Europe and West Asia. The webinars included demonstrations of several new GRIDS Programme modules and state-of-the-art tools. The objective of the events was to inform competent authorities of the Board's operational tools to prevent and interdict NPS, synthetic opioids and other dangerous substances not currently under international control. Participants learned about the changing NPS trafficking situation and regional differences in the opioids crisis and received practical information on interdiction and global intelligence-sharing tools to effectively respond to the new global paradigm of trafficking in dangerous substances, such as fentanyl. Participants were also introduced to the Board's new, interactive online training platform, GRIDS Elite, and received access to and training on the secure communication platform IONICS and the GRIDS Intelligence tool. GRIDS Intelligence is a state-of-the-art, secure analytics package that visualizes global, real-time NPS trafficking incidents and provides intelligence profiles of dangerous non-scheduled substances for profiling and risk assessment by law and regulatory enforcement focal points.

764. In March 2021, a special notification on xylazine was sent through the GRIDS Programme to all Project Ion and OPIOIDS project focal points. Prior to the special

notification, INCB had noted increased communications involving the substance in IONICS. Through the GRIDS Programme, information relating to xylazine trafficking was provided to the relevant focal points in East and South-East Asia. Xylazine is commonly used in veterinary medicine as a sedative with analgesic and muscle-relaxant properties, but there have been recent increases in trafficking incidents involving this substance.

3. National regulation, policy and action

765. In Uzbekistan, the law on the prevention and treatment of drug use disorders was approved on 27 October 2020. Work is under way in the country to prepare regulations on procedures for interaction among health-care, law enforcement and labour authorities in providing treatment services to drug users.

766. On 26 May 2021, the Government of Armenia approved an amendment to national drug legislation to allow the production, export, import and wholesale trade of "industrial hemp" under licence.

767. In 2021, the Drug Control Headquarters of the Islamic Republic of Iran launched a comprehensive strategic development programme covering areas including drug demand reduction, expansion of community partnerships, drug supply reduction, international affairs, advocacy and public relations, and research and education.

768. Drug control officials from the competent national authorities of 11 countries in West Asia, namely Afghanistan, Azerbaijan, Georgia, Iraq, Jordan, Lebanon, Qatar, Saudi Arabia, Tajikistan, Turkey and Yemen, have registered to use INCB learning e-modules. The e-modules cover narcotic drugs, psychotropic substances, precursors and the international drug control framework and are available upon registration to officials of competent national authorities at no cost.

769. **In view of the relevant international conventions and protocols and resolutions of the General Assembly, the Economic and Social Council and other United Nations bodies on the application of the death penalty, the Board reiterates its call upon all States that retain the death penalty for drug-related offences in the region to consider the abolition of the death penalty for drug-related offences, and to commute death sentences that have already been handed down.**

4. Cultivation, production, manufacture and trafficking

770. The area under opium poppy cultivation in Afghanistan was estimated at 177,000 ha in July 2020, representing a decrease of 21 per cent compared with the preceding year.

771. UNODC estimated potential production of opium in Afghanistan in 2021 at 6,800 tons, amounting to an 8 per cent increase compared with the amount reported in 2020. Afghanistan remains the country where the largest amount of opium is produced, accounting for about 85 per cent of global opium production in 2020. Opium produced in Afghanistan supplies markets in neighbouring countries and in Africa, Europe, the Middle East and South Asia, while a small proportion is destined for markets in North America and Oceania.

772. With an estimated total farm-gate value of opium production of \$350 million in 2020, opium prices were at their lowest level since UNODC began systematic monitoring, in 2009. However, an increase in the farm-gate price of opium was noted in August 2021, when it almost doubled compared with the price recorded in May 2021. That increase may have been a result of political and security developments during that time.

773. At the sixty-fourth session of the Commission on Narcotic Drugs, held in Vienna from 12 to 16 April 2021, the Deputy Minister of the Interior for Counter-Narcotics of Afghanistan declared that 976 ha of opium poppy had been eradicated in 10 provinces in 2020. In April 2021, the Government reported that it had eradicated an additional 95 ha of opium poppy in Nangarhar.

774. The ongoing COVID-19 pandemic does not seem to have affected the Balkan route as the main route for trafficking opiates from Afghanistan to destination markets in Central and Western Europe. Similarly, the sub-branch of the Balkan route that crosses the countries of the southern Caucasus continued to be used as a transit corridor for trafficking opiates to Europe. Significant heroin seizures along those routes were reported from March to December 2020. Large heroin seizures in countries other than Afghanistan suggest that large-scale opiate trafficking has continued throughout the pandemic.

775. Opiate trafficking along the northern and southern routes also continued throughout the COVID-19 pandemic. The increased use of maritime transport for heroin trafficking continued to be observed, with large seizures reported in a number of European seaports in the second half of 2020.

776. The largest quantities of opium and morphine seized globally in 2019 were recorded in Afghanistan, Iran (Islamic Republic of) and Pakistan, which together accounted for 98 per cent of the quantities of those substances seized globally. Iran (Islamic Republic of), Pakistan and Turkey accounted for 48 per cent of the global total of the quantities of heroin seized in 2019.

777. The Islamic Republic of Iran observed a 41 per cent increase in the quantities of opiates seized in 2020 compared with 2019, with opium representing the largest proportion, at 94 per cent. The quantities of heroin seized increased by 79 per cent from 2019 to 2020. A 5 per cent increase in the quantities of opiates seized was observed in the country in the first six months of 2021 compared with the same period in 2020, with the amount of heroin seized declining by 7 per cent.

778. In 2020, Turkey seized 13.2 tons of heroin, which was a decrease of 35 per cent when compared with the record amount of over 20 tons seized in 2019. The decline could be explained by the substantial increase in the quantity of heroin seized in the Islamic Republic of Iran, which may have disrupted the supply chain, as well as the increased flow of heroin through the Caucasus to avoid the territory of Turkey and the increased use of maritime routes resulting from the closure of land and air borders between Iran (Islamic Republic of) and Turkey during the pandemic.

779. According to CARICC, the total amount of heroin and opium seized in the territories of its member States, namely, Azerbaijan, Kazakhstan, Kyrgyzstan, the Russian Federation, Tajikistan, Turkmenistan and Uzbekistan, decreased by 23 per cent and 8 per cent, respectively, in 2020, compared with 2019. In total, 5 tons of opiates were seized in 2020, compared with 5.8 tons in 2019.

780. With illicit methamphetamine manufacture becoming an increasing concern in Afghanistan, an analysis by EMCDDA reported on the extent of ephedrine extraction for methamphetamine manufacture in the country. EMCDDA suggested that the 329 suspected ephedrine extraction sites that were identified for its analysis, located in the central highlands where wild *Ephedra* plants grow, would be capable of producing about 98 tons of ephedrine per month, resulting in the potential production of 65.5 tons of crystalline methamphetamine per month.

781. The Counter-Narcotics Police of Afghanistan reported seizing 1,202 kg of methamphetamine nationwide in 2020, compared with 1,251 kg in 2019. In addition to the amounts seized in Afghanistan, seizures of

significant quantities of the substance in neighbouring countries suggest that trafficking in the drug from Afghanistan continued during 2020, despite the COVID-19 pandemic. Despite a 70 per cent rise in drug prices in the Islamic Republic of Iran owing to inflation in the country, methamphetamine prices decreased by roughly 80 per cent between March and September 2019. This has been attributed to the increased availability of cheap methamphetamine from Afghanistan.

782. In total, the amounts of methamphetamine seized in the Islamic Republic of Iran increased by 51 per cent in 2020 compared with 2019, according to the country's Drug Control Headquarters, with seizures of about 20.5 tons of the substance in 2020, compared with 13.5 tons in 2019.

783. According to UNODC, countries reporting seizures of methamphetamine that had originated in or departed from South-West Asia over the period 2015–2019 included Turkey and countries in Africa (Mozambique), Central Asia (Tajikistan and Kyrgyzstan), the Caucasus (Armenia and Georgia), the Middle East (Iraq and Saudi Arabia), South Asia (Sri Lanka), South-East Asia (Indonesia), Oceania (Australia) and Western Europe (France and United Kingdom).

784. Seizures of significant amounts of methamphetamine of West Asian origin by Australia, Indonesia and Sri Lanka point to the possibility that international trafficking networks might be expanding to new international markets. Although further research is needed on this topic, it appears probable that methamphetamine from Afghanistan is smuggled along pre-existing opiate trafficking routes, in particular the southern route, but perhaps also the Balkan route.

785. The Middle East continues to be seriously affected by trafficking in and, more recently, manufacture of “captagon”, in part due to the continued political instability and unresolved conflicts in the subregion. Lebanon and the Syrian Arab Republic have been reported as source countries for “captagon” tablets. Markets for the substance are mostly found within the Middle East and include, in particular, Saudi Arabia and other Gulf countries, such as Qatar and the United Arab Emirates. In parallel, a number of law enforcement operations have documented trafficking in “captagon” tablets from Lebanon and the Syrian Arab Republic to countries in North Africa. While “captagon” was reported to be destined mainly for Middle Eastern markets, major seizures in 2020 and 2021 in other regions potentially indicate new routes or new markets. As noted in the report of the Board for 2020, Italy seized 84 million “captagon” tablets in July 2020, potentially

destined for European markets. In March 2021, police in Austria dismantled an international drug ring suspected of smuggling around 30 tons of “captagon” tablets originating in Lebanon via Austria to Saudi Arabia in recent years. In March 2021, customs authorities in Malaysia seized 94.8 million “captagon” tablets containing amphetamine, worth \$1.26 billion, in the country's largest ever drug operation. It was carried out jointly by the Directorate General of Narcotics Control of Saudi Arabia and the police of Malaysia. The drugs, weighing 16 tons, were found hidden inside three containers that had arrived at a Malaysian port from the Middle East and were destined for an East Asian country.

786. An increase in trafficking in synthetic drugs, including amphetamines, synthetic cannabinoids and various NPS, further accelerated by the shortages in “traditional” drugs such as cannabis and opiates as a result of the pandemic, continued to be reported by Central Asian States. The volume of synthetic drugs seized in Kazakhstan in 2020 increased substantially compared with 2019 (from 6.2 kg to over 100 kg) and, between January and May 2021, 41 kg of synthetic drugs were seized in the country. Law enforcement agencies in Kazakhstan also observed a noticeable increase in the domestic manufacture of synthetic drugs in the country: 4 synthetic drug laboratories were dismantled in 2019 compared with 24 laboratories in 2020; a further 10 laboratories were detected between January and May 2021. The laboratories dismantled in 2020 were accompanied by the seizure of 65 kg of ready-to-use psychoactive substances, including 11.1 kg of mephedrone. Uzbekistan also observed an increase in trafficking in synthetic drugs in 2020: 1.6 kg of synthetic drugs were seized in that year, compared with 194 grams in 2019. Authorities in Kyrgyzstan continued to report seizures of NPS, even though they represent only a small share of the illicit drug market. Central Asian States continued to observe the increased use of illegal websites, social networking accounts and messaging platforms for the marketing and sale of illicit drugs, and continued to undertake measures to address them through website monitoring and blocking, although the capacities to do so in most of the countries seem to be limited.

787. The Islamic Republic of Iran also observed an increase in the use of the Internet, including social media, for marketing drugs. In order to monitor and identify drug networks operating online, the Anti-Narcotics Police set up a centre for the identification of criminals and the monitoring of the online sale of narcotic drugs in 2020.

788. Armenia observed that, owing to the closure of borders because of the COVID-19 pandemic, narcotic

drugs and psychotropic substances were being imported into its territory more frequently in packages delivered through the postal system.

789. According to the Narcotics Survey and Analysis Directorate of Afghanistan, the cultivation of cannabis plant was encountered in 155 of the 421 districts in the country. According to UNODC, Afghanistan remains the second main global source of cannabis resin after Morocco and was named as a source of the substance in 18 per cent of the countries worldwide that reported seizures of cannabis resin during the period 2015–2019. The two other most frequently mentioned countries of origin of cannabis resin seized were Lebanon and Pakistan. Afghanistan, Lebanon and Pakistan have been reported as source or transit countries of cannabis resin intercepted in other countries in the Middle East and South-West Asia, and cannabis resin originating in Afghanistan has also been identified by countries in Central Asia, Eastern Europe and, to a lesser extent, Western and Central Europe.

790. In 2020, the total quantities of cannabis and cannabis resin seized in the territories of CARICC member States continued to constitute the majority of the drugs seized in those States in terms of weight, namely, 70 per cent (or 34 tons) of the total amount of seized drugs (49 tons). According to CARICC, this trend was expected to continue throughout 2021. In comparison, of a total of 66.3 tons of drugs seized in 2019, 55 tons were cannabis and cannabis resin (which constituted 83 per cent of the total amount seized).

5. Prevention and treatment

791. On 15 and 16 December 2020, a hybrid meeting (in person and online) of a Paris Pact Initiative expert working group on investing in families for effective drug prevention and treatment was held. The experts discussed the role of family in the prevention and treatment of drug use disorders, prevention programmes aimed at teaching family skills, family therapy and the provision of services to families to support effective prevention as part of the treatment of substance use disorders during the COVID-19 pandemic.

792. On 21 May 2021, the second international anti-drug campaign organized under the auspices of SCO, entitled “For a world without drugs”, was held. The development of a new workplan for implementing the SCO Anti-Drug Strategy, which focuses on the exchange of experiences in drug prevention in secondary and higher educational institutions in SCO member States, the

medical rehabilitation of drug users and the promotion of a healthy lifestyle, was addressed.

793. In recent years, almost all CARICC member States have observed a reduction in the number of people registered in drug use treatment facilities. However, in 2020, Kazakhstan, Kyrgyzstan and Uzbekistan saw an increase in the number of newly registered drug users (primarily through referral), compared with 2019.

794. The Drug Control Headquarters of the Islamic Republic of Iran estimates that there are about 225,000 methamphetamine users living with drug use disorders in the country and recent reports have indicated that methamphetamine use is increasing again. The Islamic Republic of Iran also reported that nearly 965,000 people received treatment through 7,428 outpatient treatment centres and clinics during 2020; 1,097 medium-term accommodation centres provided services to more than 190,000 persons; and 27 community treatment centres provided advice to more than 2,900 people. As of March 2021, 28 new treatment centres had been opened in different provinces of the Islamic Republic of Iran, 2 of which are specifically dedicated to women with drug use disorders.

795. UNODC estimates high levels of opioid use in South-West Asia, where the past-year prevalence was estimated at 3.2 per cent of the adult population, or 6.8 million past-year users of opioids. In that subregion, opiates (heroin in the case of Pakistan and opium in the case of Afghanistan and Iran (Islamic Republic of)) are the opioids that are predominantly used. Central Asia and the southern Caucasus also reported high rates of opioid use, with an estimated past-year prevalence of 1 per cent of the adult population (more than half a million users).

796. In Turkey, as part of an anti-addiction training programme, a total of 390,926 students, 20,754 teachers and 82,448 parents were trained on substance addiction during the 2019/20 academic year. Under the same programme, training was organized for non-governmental organizations and public institutions and organizations and a distance-learning module on substance addiction was delivered to 497 physicians in 2020.

797. UNODC assessed that use of tramadol may have increased in the Middle East during the pandemic. It is believed that some health-care systems in the countries of the subregion could be treating COVID-19 symptoms and other related health issues, such as pain, with the substance. In this connection, the countries of the Middle East have observed a large growth in the availability of tramadol for non-medical use.

798. Israel reported that the COVID-19 pandemic had resulted in multiple challenges, including an increase in the use of drugs and alcohol among teenagers and youth, an increase in the use of drugs and alcohol among former drug users and an increase in sales of NPS, including through the use of messaging platforms and home delivery. Several mitigating mechanisms were applied, including declaring drug use treatment service providers “essential workers” to avoid interruption of their services, increasing the use of Internet-based and telephone follow-up calls, providing services outdoors and supplying medicines for longer-term use at home.

E. Europe

The COVID-19 pandemic had a limited impact on the illicit supply of and demand for drugs in Europe as traffickers adapted to pandemic restrictions, altering both international trafficking routes and domestic distribution channels.

Intelligence-led investigations, based on information gained from intercepted encrypted communications devices, gave law enforcement authorities in Europe critical insights into the functioning of drug trafficking groups, led to seizures of significant quantities of trafficked drugs and resulted in the launch of several criminal proceedings.

Countries in the region continue to adopt legislative changes broadening the use of cannabis products for medical and scientific purposes. Some have also entered into political debate on permitting the use of cannabis for non-medical purposes.

1. Major developments

799. Illicit demand for drugs continues to be high in Europe, and the manufacture of illicit synthetic drugs (mainly for trafficking to other regions of the world) continues to be a challenge in the region. Europe remains a lucrative and attractive destination and transit region for cocaine smuggled from South America and for cannabis resin from North Africa.

800. In a recent judgment, the European Court of Justice ruled that CBD extracted from the cannabis plant should not be considered a drug under the 1961

Convention as amended or the 1971 Convention; several countries are in the process of adjusting their national laws to align them with that ruling. In that regard, the Board reminds Member States that, at the reconvened sixty-third session of the Commission on Narcotic Drugs, in December 2020, the States members of the Commission rejected the recommendation of WHO that a footnote be added to the entry for cannabis and cannabis resin in Schedule I of the 1961 Convention as amended to exempt from international control preparations containing predominantly CBD and not more than 0.2 per cent of *delta*-9-THC. In Switzerland, amendments that set out the requirements for pilot projects on the controlled distribution of cannabis for non-medical purposes came into effect in May 2021. Meanwhile, several European Union member States have adopted legislative changes to broaden the use of cannabis products for medical purposes.

801. The COVID-19 pandemic has had a limited impact on the supply of and demand for illicit drugs in Europe, and the adaptability of criminal networks was even more notable in the second wave of pandemic lockdowns, in the second half of 2020. Levels of synthetic drug manufacture and the availability of cocaine remained stable despite the restrictions on movement and other COVID-19 control measures, according to EMCDDA. Changes in smuggling routes due to border disruptions were observed, notably the shift from land to maritime routes for the trafficking of heroin from West Asia and of cannabis resin from Morocco to Europe. Although levels of most drug use decreased during the initial lockdowns in 2020, they increased again once restrictions were lifted. Most treatment services resumed operation after June 2020, although at reduced capacity because of COVID-19 preventive measures.

802. Although the number of first-time notifications of NPS reported each year is decreasing, their continuing prevalence on the drug market, together with non-scheduled and designer precursors, creates challenges for regulatory, law enforcement and judicial authorities in Europe. Meanwhile, increasingly complex patterns of drug use, in particular the use of designer benzodiazepines, pose significant difficulties for drug prevention and treatment services.

803. Several high-profile cases involving the decryption of encrypted communications devices used to further illicit criminal activities by organized criminal groups took place in Europe in 2020 and 2021. Law enforcement authorities gained access to hundreds of millions of encrypted messages, leading to a clampdown on criminal activities in different countries in Europe and beyond,

including large-scale seizures of drugs and precursor chemicals and the dismantling of illicit laboratories. In addition, valuable information on the functioning of criminal networks was discovered. Such cases show that drug traffickers use encrypted software as their primary means of communication.

2. Regional cooperation

804. In December 2020, the Council of the European Union approved the European Union Drugs Strategy 2021–2025. The strategy provides the overarching political framework and sets priorities for the drug policy of the European Union for the next five years. In June 2021, the Council approved an action plan setting out activities, indicators, timelines and the designated responsible institutions to implement the strategy by: (a) addressing illicit drug trafficking through drug supply reduction; (b) protecting public health through an increased focus on prevention and access to treatment and care services; and (c) responding to drug-related harms.

805. In December 2020, Europol hosted its fourth international drugs conference online, which provided a platform for senior law enforcement officials to enhance their situational awareness of drugs and discuss operational responses. The meeting led to the establishment of the dedicated Drugs Unit within Europol, reflecting the European Union's prioritization of the issue in the Europol Strategy 2020+.

806. In December 2020, Serbia and EMCDDA signed a new working arrangement that provides for greater cooperation in monitoring the phenomenon of drug use in Europe through the exchange of expertise between Serbian authorities and EMCDDA and the further development of that country's drug data-collection and reporting capacity.

807. On 28 October 2021, the Pompidou Group celebrated its fiftieth anniversary under the motto "Human rights at the heart of drug policies". The Pompidou Group is the Council of Europe's intergovernmental drug policy cooperation platform. It consists of 41 European and 3 non-European countries and its core mission is promoting multidisciplinary and evidence-based drug policies in member States. The Committee of Ministers of the Council of Europe adopted a revised statute of the Pompidou Group that promotes the Group's focus on human rights and public health and extends its mandate to foster collaboration with other international organizations.

808. Authorities in Belgium, France and the Netherlands, in cooperation with Europol and Eurojust, disrupted the activities of criminal organizations by dismantling an encrypted communications tool, Sky ECC, which was being exploited for criminal purposes. The information led to several law enforcement operations in February and March 2021, including several seizures of cocaine at the port of Antwerp, Belgium, totalling more than 27 tons, and resulted in the launch of several criminal proceedings.

809. The Federal Bureau of Investigation of the United States, in cooperation with Europol and national authorities from 16 countries in Europe, North America and Australia, carried out an international law enforcement operation through an encrypted platform, Anom, covertly managed by the Bureau. Operation Trojan Shield and Operational Task Force Greenlight targeted criminal organizations that had increasingly made use of encrypted communications platforms for illicit purposes. By June 2021, the operation had resulted in over 800 arrests and seizures of more than 8 tons of cocaine, 22 tons of cannabis and cannabis resin, 2 tons of amphetamine and methamphetamine and 6 tons of synthetic drug precursors. The 27 million intercepted messages on Anom also provided critical intelligence revealing to law enforcement authorities the functioning of criminal groups involved in large-scale drug smuggling.

810. In Operation Ferro, a submarine constructed in Europe for use in drug trafficking was seized by police in Spain in cooperation with other countries and Europol in March 2021. The semi-submersible vessel was being built when it was seized and would have been able to carry up to 2 tons of drugs. Operation Ferro took place in various Spanish cities and also led to the seizures of 3.2 tons of cocaine, 6,000 litres of precursor chemicals and 700 kg of cannabis resin and the dismantling of an illicit cannabis laboratory.

811. In March 2021, a joint operation between law enforcement entities in Hungary and Norway, as well as Europol and Eurojust, resulted in the dismantling of an illicit laboratory and the seizure of over 9 million falsified clonazepam tablets in Hungary. A further 250 kg and 300 litres of various precursor chemicals were also seized. The falsified tablets had been sold across Europe, primarily in Norway. EMCDDA has warned that the manufacture and more frequent use of falsified benzodiazepine tablets, as well as the manufacture of products containing designer benzodiazepines, have become a concern in Europe.

3. National legislation, policy and action

812. In a judgment of 19 November 2020, the European Court of Justice stated that CBD extracted from the cannabis plant should not be considered as a drug under the 1961 Convention as amended or the 1971 Convention. The Court stated that, while a literal interpretation of the 1961 Convention as amended might lead to CBD being classified as a drug, insofar as it is a cannabis extract, such an interpretation would be contrary to the general spirit of the Convention and its objective. It also stated that the European Union industrial hemp regulations were not applicable to CBD extracts because CBD was not an agricultural product according to the definitions contained in those regulations. Several European Union member States are adjusting national laws and regulations to align them with that ruling.

813. In December 2020, EMCDDA published a report on low-THC cannabis products in Europe, highlighting the challenges faced by policymakers and suppliers. The report highlighted the complexities that existed due to the lack of a clear regulatory framework governing the issue.

814. On the basis of risk assessments conducted by EMCDDA, in March 2021, the European Commission proposed placing two synthetic cannabinoids (MDMB-4en-PINACA and 4F-MDMB-BICA) under control in the European Union. Health concerns have been raised in Europe about both substances. Once the proposal is adopted, member States will have six months to introduce the relevant national implementing measures.

815. Following its announcement in late 2018 that it would legalize the cultivation, distribution, possession and use of cannabis for recreational purposes within five years, on 22 October 2021, the Government of Luxembourg put forth further legislative proposals. Under the proposed legislation, individuals aged 18 and above would be allowed to grow up to four cannabis plants per household for recreational use. It would also be possible to buy cannabis seeds, without any THC limits, in shops and online. While the consumption and transport of and trade in cannabis or cannabis products other than seeds in public would remain illegal, the consumption and transport of cannabis of up to 3 grams in public would be considered as a misdemeanour instead of a criminal offence.

816. In Switzerland, an amendment to the Federal Act on Narcotics and Psychotropic Substances came into force on 15 May 2021. The amendment specifies the

requirements for pilot projects on the controlled distribution of cannabis for non-medical purposes, with a view to providing a scientific basis for the future regulation of cannabis. Pilot projects are authorized by the Federal Office of Public Health, after consultation with the relevant cantons and municipalities. Pilot projects must be limited in duration to five years and may be extended once, for a period of two years. No more than 5,000 participants in each study are permitted, and the company performing the pilot project must share the results with the Federal Office of Public Health. An evaluation of those research reports is then to be presented to the Federal Assembly of Switzerland. The amendment also allows broader access to cannabis for medical use and specifies that such use will no longer require an exceptional licence from the Federal Office of Public Health. Instead, the treating physician can decide whether to prescribe cannabis. Physicians must collect anonymized data in connection with treatment with cannabis, and the Federal Office of Public Health must keep a register containing the data for statistical purposes and scientific evaluation.

817. A multidisciplinary committee established by the Parliament of France published three reports on cannabis regulation in May 2021. The reports focus on relevant regulations and the impact of three types of cannabis use: (a) medical; (b) recreational; and (c) “wellness” (mainly CBD use). Composed of representatives from six parliamentary commissions and 30 parliamentarians from governing and opposition parties, the committee conducted 100 hearings with experts and professionals in relevant organizations over a period of more than a year. The report on the use of cannabis for medical purposes reviews the experiment conducted in the country, since March 2021, on prescribing cannabis products for therapeutic use, and looks ahead to fully implementing the programme for the development of a new medicinal cannabis sector. The report on recreational use proposes a national debate on key questions that would ensure State control of the trade and the protection of young people. The report on CBD calls for a broad consideration of potential legal aspects and recommends the development of an information, evaluation and regulatory system to ensure consumer safety.

818. In March 2021, the Government of Malta published a white paper on cannabis aimed at strengthening the legal framework on the “responsible use of cannabis”. The main proposals include decriminalizing the possession of up to 7 grams (instead of 3.5 grams) of cannabis and permitting personal cultivation of up to four plants for private consumption. The white paper also contains a proposal for the establishment of a dedicated government

authority responsible for all cannabis-related matters, along with the provision of an educational campaign and training for front-line officials, should those proposals be accepted. The public was invited to submit their views and inputs.

819. The Board wishes to remind all parties to the 1961 Convention as amended that, under article 4, paragraph (c), thereof, and subject to the provisions of that Convention, the production, manufacture, export, import, distribution of, trade in, use and possession of drugs are limited exclusively to medical and scientific purposes and that any measures allowing for the use of cannabis for non-medical purposes are in violation of the legal obligation incumbent upon parties.

820. In November 2020, the Government of Denmark published its evaluation of the country's medicinal cannabis pilot programme (January 2018–December 2021). In May 2021, the Parliament of Denmark decided to extend the pilot programme for the prescription of cannabis for medical purposes for another four years. That means that all doctors can continue prescribing cannabis products to their patients for the health conditions they deem appropriate. The Parliament also decided to permanently extend the cultivation and production of medicinal cannabis in Denmark beyond the expiration of the current pilot programme.

821. Ukraine legalized the use of some cannabis products for medical purposes. In April 2021, the Government introduced amendments that allow for the limited use of nabilone and nabiximols. Used to treat the side effects of cancer treatment and to relieve muscle spasms in multiple sclerosis, these drugs are intended to reduce pain for seriously ill patients. Other, draft laws aimed at relaxing cannabis regulations in the country, including permitting the use of cannabis for medical purposes on a prescription basis, establishing a relaxed regulatory system for the cultivation of low-THC cannabis plants and setting out a clear definition of CBD as a non-controlled substance, are expected to be adopted in 2021.

822. Aiming to boost the production and exports of medicinal cannabis, the Parliament of Greece approved a new bill on medicinal cannabis products in 2021. Under the new bill, medicinal cannabis produced by Greek companies for export will be subject only to the laws and regulations of the importing country and will not be subject to the same legal regime as cannabis sold domestically.

823. In Ireland, in July 2021, the Minister for Health announced further developments in the Medical Cannabis

Access Programme (a pilot programme that started in 2019) to increase the availability of cannabis for medical purposes. Medical consultants can now submit applications to register, allowing them to prescribe their patients cannabis products that have been accepted for use in the programme. In December 2020, the country decriminalized possession of cannabis and cannabis resin for personal use: “simple possession” of cannabis or cannabis resin for personal use will not be subject to criminal conviction if the perpetrator admits the offence and accepts an adult caution.

824. In Portugal, regulatory decree No. 2/2020 established the authorization system for the cultivation of “hemp” and its industrial use. Under the terms of the regulatory decree, the agricultural services are responsible for the authorization of the cultivation of “hemp” for industrial purposes, food or animal feed use, the manufacture of compound feeding stuff and the production of fibres and seeds not intended for sowing. The control functions are conducted by the Institute for Financing Agriculture and Fisheries, together with the Judicial Police, the National Republican Guard and the Public Security Police.

825. Several countries in the region approved national drug strategies following the adoption of the European Union Drugs Strategy 2021–2025. In 2020, Bulgaria adopted a new national strategy for combating drugs for the period 2020–2024, which covers five main areas of action (supply reduction; demand reduction; increasing research and modernizing technological equipment; improving inter-agency coordination; and improving the regulatory framework) and contains specific performance indicators for institutions that are intended to contribute to the implementation of the new European Union strategy.

826. In June 2021, Estonia approved the second white paper entitled “Drug policy 2030”, which formulates the country's priority goals for the next 10 years, including a steady downward trend in drug use, the provision of comprehensive assistance and care to users and the integration of drug services and interventions into health, social, educational and law enforcement services.

827. In 2021, Croatia completed the drafting of a new national strategy and action plan to combat addictive behaviour for the period 2021–2030. Taking the latest trends and challenges into consideration, the new strategy focuses on all types of addictive behaviour, in particular, habitual use of psychoactive substances, alcohol, tobacco and drugs. By engaging all relevant stakeholders, the new strategy maps out the actions required to keep the

prevalence of the use of different psychoactive substances within socially acceptable levels while not undermining or jeopardizing public safety.

828. In November 2020, the Russian Federation approved a new anti-drug strategy for the period 2021–2030. The new strategy outlines the security threats posed by narcotic drugs and the increasing use of technology for distributing and selling them, and corresponding actions to suppress the illegal distribution of drugs, protect public health and ensure public security. The goals of the new strategy are to reduce drug trafficking, reduce the consequences of illegal drug use, foment a conscious negative attitude in society towards illegal drug use and involvement in drug trafficking, and improve the availability of and access to controlled substances for medical purposes.

829. In December 2020, the list of controlled precursor chemicals was extended to include an additional 10 precursors following decree No. 2007, which became effective on 4 April 2021.

830. In February 2021, the Government of the Russian Federation approved amendments to article 230 of the Criminal Code establishing criminal responsibility for promoting or inciting the use of narcotic drugs, psychotropic substances or their analogues over the Internet.

831. In February 2021, the Parliament of Iceland passed into law a bill that will make it legal for municipalities to open supervised injection sites for people who inject drugs. It is estimated that 700 people inject drugs in Iceland and that between 25 and 40 people would initially use the supervised injection sites in Reykjavik.

832. In January 2021, the Government of the United Kingdom announced 148 million pounds worth of new investment to reduce crime and protect people from illegal drugs. Taking a system-wide approach in tackling the problem of illegal drugs in five of the hardest-hit areas in England and Wales, the new investment provides additional funding for law enforcement authorities and drug use treatment and recovery services and is the largest increase in drug use treatment funding in 15 years.

4. Cultivation, production, manufacture and trafficking

833. The illicit drug market in Europe has demonstrated elasticity and adaptability as it rebounded from the short-lived drug supply disruptions during the first wave of COVID-19-related restrictions in the first half of 2020.

Countries reported only marginal impact of the COVID-19 pandemic on the illicit supply of drugs. On the contrary, by turning to legal freight traffic as the main mode of transport, because it was exempt from the pandemic restrictions, traffickers smuggled more than 100 tons of drugs to Sweden in one year, a far larger amount than previously estimated. Traffickers in France were also prepared for the second lockdown in late 2020 and avoided disruptions to the supply of illicit drugs to the extent experienced in the first lockdown, in early 2020. This was reflected in the greater amount of cannabis and other illicit drugs seized in comparison with the previous reporting period. Among the trends of the second lockdown observed in France was the distribution of drugs at clandestine parties that took place at privately rented venues or in large public spaces. The opposite trend was noted in the Russian Federation, where the tightening of customs controls and limitations on the movement of goods and people led to a 40 per cent decrease in drug-related crimes and a reduction in the availability of cannabis resin in the country during 2020.

834. Eurojust has reported that, despite the slowing frequency of first-time notifications of psychoactive substances, their continuing appearance on the drug market, as well as the use of alternative, non-scheduled precursors, generates a challenging situation for authorities in the region. The difficulty in establishing evidence admissibility and the diverse or even absent legal provisions in different European countries create challenges for law enforcement and legal practitioners in the investigation and prosecution of cases involving these substances. On the basis of an analysis of casework from 2017 to 2020, Eurojust confirmed that law enforcement entities face operational challenges in detecting criminal activity because of the increased use of online marketplaces by traffickers, notably on the darknet, and of cryptocurrency payments and anonymized postboxes for deliveries by clients.

835. EMCDDA has warned that the ongoing digitalization of drug markets to facilitate drug distribution may be one of the longer-term effects of the pandemic. In addition to the encrypted messaging services mentioned above, this can be seen in the increased use of the Internet, including social media and the darknet, to facilitate street-level sales and the supply of drugs. This was coupled with the accelerating exploitation of postal, parcel and home delivery services for the trafficking of drugs. In that regard, Italy reported an upward trend in crimes related to the sale of drugs on the Internet in 2020. Bulgaria also saw an increase in the supply and demand of drugs online, with courier delivery companies increasingly used in the country for the shipment of parcels

containing narcotic substances. Sweden reported that, from 2019 to 2020, the number of Internet-related drug seizures increased by more than 50 per cent, partially due to the country's participation in INTERPOL Operation Pangea, which focuses on tackling counterfeit and illicitly produced medicines sold online.

836. Europol confirms that, while illicit drug sales on the Internet (including the darknet) have accelerated, the Internet is used mainly for the sale and distribution of smaller, retail quantities of drugs, whereas wholesale amounts are trafficked offline. Assessing the threats that serious and organized crime poses to the European Union, Europol states that nearly 40 per cent of the criminal syndicates operating in the European Union are engaged in drug trafficking. As well as generating profits of several billion euros, drug-related crime has been associated with heightened levels of violence in recent years.

837. Large seizures of cocaine in Europe, mostly in Belgium, the Netherlands and Spain, indicate continuing strong consumer demand for the drug in the region and beyond. As the efficiency of the cocaine supply chain has improved, increased amounts of cocaine of higher purity are reaching the region, according to the UNODC *World Drug Report 2021*. EMCDDA confirms that cocaine potency has been on an upward trajectory over the past decade, increasing by 57 per cent between 2009 and 2019.

838. Maritime trafficking in cocaine, including the exploitation of the transcontinental food trade from South America to Europe, remained largely unaffected by restrictions introduced to respond to the COVID-19 pandemic. A shift to trafficking larger consignments of cocaine was observed, with the North Sea coast serving as the primary point of entry for cocaine reaching Europe, as shown by continuing seizures in Rotterdam, the Netherlands, the seizure of 7 tons reported in Antwerp and the seizure of a 16-ton consignment in Hamburg, Germany. Belgium reported cocaine seizures in the port of Antwerp that accounted for a third of the total for all of Europe.

839. Recent seizures of cocaine from South America at ports in Albania, Croatia and Montenegro point to the efforts of traffickers to enter the region by new routes other than through Western and North-Western Europe, notably seaports in South-East Europe. The port of Ploce, Croatia, recorded three seizures of cocaine, including one case involving half a ton of high-purity cocaine concealed in a shipment of bananas from South America, and the port of Durres in Albania reported a seizure of over 300 kg of the substance in June 2021. The seized drugs were intended for onward trafficking by land to neighbouring countries.

Montenegro reported a seizure of over 1,500 kg of cocaine in a warehouse in Podgorica, suspected to have arrived by boat via the port of Bar, in August 2021.

840. Judging by the large maritime seizures of heroin reported, a recent adaptation by traffickers to the situation caused by the pandemic has been the increased use of maritime vessels to traffic opiates, which were traditionally smuggled into the region by land. Sea routes pose less risk and allow for larger quantities to be smuggled. The use of the Balkan route for heroin trafficking from West Asia was impaired by strengthened border control measures. Bulgaria, a transit country along this route, reported that no such land trafficking had been detected on its territory in 2020.

841. There has been greater use of the southern Caucasus route, by which heroin is smuggled by land from the Islamic Republic of Iran through Armenia and Georgia, then by ferry across the Black Sea to Bulgaria and Western Europe. The importance of this route was highlighted by the seizure of nearly 1.5 tons of heroin at the port of Constanța, Romania, in May 2021. Another seizure of the same amount took place in the port city of Rotterdam in February 2021.

842. The Netherlands also reported a seizure of 1 kg of fentanyl, a highly potent opioid. In addition, law enforcement authorities discovered almost 2,000 litres of precursor chemicals (aniline, (2-bromoethyl)benzene, and propionyl chloride) in late October 2020, likely destined for use in the illicit manufacture of fentanyl. It remains unclear whether the manufacture was to take place in the Netherlands or elsewhere. It was the first reported instance of such precursors appearing in the country, and fentanyl manufacture remains uncharacteristic of the region. More detailed analysis of the latest trends and developments related to precursor chemicals under international control, as well as their non-scheduled substitutes and alternatives, can be found in the report of the Board for 2021 on precursors.

843. Trafficking in cannabis and cannabis resin remains persistent in the region, as cannabis remains the most popular drug in the European Union. Illicit cannabis plant cultivation in Europe continued at pre-pandemic levels as trafficking in cannabis resin to Europe shifted from land to sea. Indoor cannabis cultivation remains prevalent in the region, according to UNODC. In addition, EMCDDA reports that home cultivation of cannabis continued in 2020, partially as a result of the pandemic. Morocco remains the main external source of cannabis resin that reaches the European Union, while Albania and North Macedonia continue to be major sources of

significant quantities of high-quality cannabis trafficked to countries of both Central and Western Europe.

844. Spain remains a major point of entry for drugs trafficked from Africa to Europe, as seizures of large amounts of cannabis resin during the reporting period demonstrate. Among the largest of the seizures was one of more than 7 tons of cannabis resin seized at the Spanish coast in May 2021, which had been transported on a tug-boat, and 15 tons of cannabis resin loaded on a vessel sailing from Morocco, which were seized east of Fuerteventura in July 2021.

845. Criminals exploited the growing legitimate market for cannabis products for illicit purposes. A total of 372,000 cannabis plants from 52 plantations, located in different cities in Spain, were seized by the Spanish police in November 2020 after an investigation lasting several months. A business network that was using legitimate CBD oil sales as a front was illicitly cultivating cannabis with a prohibited THC content under the guise of cultivating cannabis for medical purposes.

846. Intelligence obtained from accessing encrypted telephone devices used by criminal networks contributed to the increase in illicit laboratories and drug storage locations discovered in the Netherlands. The number of sites of synthetic drug manufacture reported by the National Police of the Netherlands has continued to rise, to 108 dismantled sites in 2020. Of those, 32 were illicit methamphetamine laboratories in 2020, more than a threefold increase from the previous year. The illicit laboratories are usually very sophisticated, with high-quality and high-output equipment. Europol, in its *Serious and Organised Crime Threat Assessment*, warns that large-scale methamphetamine manufacture will likely become more frequent due to the significant profit incentive. In that context, a crystalline methamphetamine laboratory with a daily production capacity of 100 kg was discovered in the Netherlands in July 2021.

847. Bulgaria reported the presence of small laboratories of the so-called “kitchen” type. Such laboratories were found to manufacture methamphetamine for personal use using medicinal products sold over the counter in pharmacies.

848. Although the availability of “ecstasy” appears to have remained unaffected by the COVID-19 pandemic, in half of the cities assessed by EMCDDA, wastewater analyses showed that “ecstasy” and methamphetamine consumption was below pre-pandemic levels when lockdown measures were in place. To adapt to the possibly different consumer needs during periods of lockdown, an

increasing number of lower-strength “ecstasy” tablets emerged in the Netherlands in 2020, as reported by the country’s drug information and monitoring system.

849. Estonia reported seizing significant amounts of “ecstasy” and cocaine in several individual criminal cases in 2020, but the total amounts of drugs seized in the country did not increase substantially.

850. The European Union early warning system received notifications of a total of 46 NPS in 2020, a considerable decrease from the peak years of 2014 and 2015, when it received notifications of about 100 NPS each year. Opioids and synthetic cannabinoids made up nearly half of the substances for which notifications were received in 2020. Despite growing concerns relating to the use of benzodiazepines, there were no formal notifications of new benzodiazepines in 2020. The decrease in newly detected psychoactive substances is thought to be related to sustained policy efforts by Governments to restrict the availability of such substances on the European market. Nevertheless, EMCDDA warns that the availability and accessibility of such substances remains high, through sales both online and at the street level.

851. The competent authorities of the Russian Federation recorded rapid growth of synthetic drugs in the country, with the number of illicit laboratories dismantled by law enforcement agencies increasing by one fifth and the amount of precursors seized increasing six-fold in 2020 compared with 2019.

5. Prevention and treatment

852. Most European countries continue to monitor the drug use situation through the collection, submission and dissemination of comprehensive prevalence and treatment data. With the launch of the latest European Internet survey on drugs by EMCDDA in March 2021, which has been extended to include data collected through the participation of EMCDDA partners in the Western Balkans and the European Neighbourhood Policy countries, more data can be collected in a timely manner. Aimed at improving understanding of patterns of drug use in the region in order to help shape future policies and interventions, the voluntary, anonymous survey will be conducted in 31 countries and in 28 languages.

853. Regional analysis of trends in the consumption of the main opioid analgesics (codeine, dextropropoxyphene, dihydrocodeine, fentanyl, hydrocodone, hydro-morphone, ketobemidone, morphine, oxycodone, pethidine, tilidine and trimeperidine) conducted by INCB

shows that the highest consumption of these drugs is in some developed countries in Europe. Countries reporting some of the highest average consumption of opioids for pain management worldwide in the period 2018–2020 include, in descending order of consumption rates, Germany, Austria and Belgium. The region also continues to be the one with the highest submission rate of consumption data on psychotropic substances to INCB.

854. Approximately 29 per cent of persons in the European Union aged 15–64 (83 million people) are estimated to have used illicit drugs at least once in their lifetime, according to the EMCDDA estimate for the year 2019. Cannabis, with a total of 78.5 million adults reporting lifetime use, remains the most-used drug in the region. The level of lifetime use of cannabis varies considerably within the region, from about 4 per cent in Malta to 45 per cent in France. Much lower estimates are reported for the lifetime use of cocaine (13.9 million), “ecstasy” (10.3 million) and amphetamines (8.6 million). About 17.5 million persons aged 15–34 reported using drugs in the past year, with that number composed of twice as many males as females.

855. According to the EMCDDA *European Drug Report 2021*, patterns of drug use in the region have become more complex as an increasing number of substances become available and the patterns of polydrug use diverge. An emerging trend is the non-medical use of benzodiazepines (at times in combination with opioids or alcohol) among high-risk people who use drugs, prisoners, persons deprived of their liberty and other groups. The easy availability and low cost of the substance, together with the growing prevalence of pandemic-related mental health issues, might have been the main contributing factors. Given such polydrug use and the increasing dominance of synthetic substances in the European Union, EMCDDA has called for further development of forensic and toxicological resources.

856. Another major challenge for Europe is the growing availability of cannabis products adulterated with synthetic cannabinoids and the health risks they pose. Both the number of deaths linked to the use of some synthetic cannabinoids reported in 2020 (over 20 deaths related to 4F-MDMB-BICA in 2020) and public health alerts issued by EMCDDA concerning the presence of natural cannabis products adulterated with highly potent synthetic cannabinoids underline the urgent need for more robust scientific information.

857. The latest report of the European School Survey Project on Alcohol and Other Drugs suggests that European students aged 15 and 16 perceived cannabis to

be the illicit substance easiest to obtain, with about one third of respondents rating cannabis as easily obtainable in 2019. More students in Czechia, Denmark, the Netherlands, Slovakia and Slovenia perceived cannabis to be easily available (45–51 per cent). Jurisdictions with the lowest perceived availability of cannabis included North Macedonia, Romania and Ukraine, as well as Kosovo.⁶⁰ Perceived availability was lower for “ecstasy” (14 per cent), cocaine (13 per cent), amphetamine (10 per cent) and methamphetamine (8.5 per cent). Those drugs were perceived to be more easily available in Bulgaria, Denmark and Sweden.

858. A 2020 study in Norway examined the relationship between past-year cannabis use and associated factors (such as attitudes towards legalization, use intentions and risk perceptions) and possible dependence among university and college students, and shed light on necessary intervention strategies. Given the relatively common use of cannabis, attitudes towards legalization, the level of intention to use cannabis if legalized and the perception of its low risk, the study suggests that cannabis use poses a tangible health risk for college and university students in the country. Campus-based intervention strategies should therefore target students’ cannabis-related attitudes and risk perceptions, in addition to frequent use.

859. The EMCDDA *European Drug Report 2021*, which contains the latest study of wastewater from 82 cities in 18 European countries, concluded that cannabis use in 2020 was the highest in Southern and Western Europe, in particular in Croatia, France, the Netherlands, Portugal and Spain. Cocaine use also remained the highest in Southern and Western Europe, with the highest levels being found in Belgium, the Netherlands and Spain. As in the past, the highest concentrations of amphetamine use were reported in Eastern and Northern Europe. The use of methamphetamine, generally low and historically concentrated in Czechia and Slovakia, was also found in Cyprus, Germany and Spain. The highest levels of “ecstasy” use were found in Belgium, Germany, the Netherlands and Slovenia. While the levels of most drug use were lower during the initial COVID-19-related lockdowns in 2020 in comparison with the data for 2019, the levels went back up once the lockdown measures were lifted. However, the use of drugs such as “ecstasy” that are associated with recreational events was much lower in 2020 in most cities.

860. Similar to the recent trend observed using wastewater analysis, online self-reporting drug use surveys

⁶⁰References to Kosovo shall be understood to be in the context of Security Council resolution 1244 (1999).

suggested a greater popularity of substances perceived as more suitable for home consumption, including psychedelics (for instance, LSD and 2C-B), and dissociatives (for example, ketamine). Preliminary results also suggested that occasional users might have reduced or stopped using drugs during the pandemic, while regular users increased their drug consumption.

861. Prevention and treatment services in most European countries resumed operations by June 2020, although at reduced capacity because of COVID-19 preventive measures. The number of people who use drugs entering treatment remained at lower levels throughout the year, likely because of a greater use of telemedicine. Meanwhile, restrictions on external service providers and social-distancing measures also disrupted treatment services in prison settings.

862. In May 2021, EMCDDA published a technical report entitled “Drug-related deaths and mortality in Europe”, highlighting that an estimated 9,200 deaths had involved one or more illicit drugs in the European Union and Norway and Turkey in 2018. Opioids were the main driver of those fatal overdoses, and men in their thirties and forties accounted for most of those deaths. The number of fentanyl-related deaths decreased markedly in Estonia and Sweden in 2018, while Scotland had some of the highest fentanyl-related mortality rates in Europe. Given that situation, the Government of Scotland introduced Buvidal (which contains buprenorphine) as a treatment option for people who use heroin in prisons and across the country and, in July 2021, allocated substantial funding for front-line services in order to get more people into treatment. England and Wales also recorded the largest number of drug-related deaths in 2020 (about 4,500) since 1993. According to the Office for National Statistics, about half of those deaths occurred in 2019 but were recorded in 2020 owing to delays in registering deaths. Apart from that, the increase was possibly driven by an ageing cohort of people who use drugs and the new trends of polydrug use, including combining gabapentinoids and benzodiazepines with heroin or morphine.

863. In the light of the considerable number of people who use opiates and cocaine and of drug-related deaths in the United Kingdom, an independent review was undertaken for the Government. The report (“Review of drugs part two: prevention, treatment, and recovery”) put forth a list of recommendations on treatment and recovery services. Specifically, the report contains a call for a reform in central government leadership, increased funding for drug use treatment and wider recovery support, and the strengthening of local authority accountability.

864. In Ireland, drug use treatment and prevalence data suggest an increasing dominance of cocaine. While opioids continue to be the primary drug of concern and accounted for 37 per cent of drug use treatment cases in 2020, the number of treatment cases involving cocaine increased from 24 per cent in 2019 to 27 per cent in 2020. Cocaine was also, for the first time, the most common drug among new treatment cases in 2020. Findings from the Irish National Drug and Alcohol Survey also point to considerable increases in cocaine usage, from 1.8 per cent of males aged 25–34 reporting recent use of cocaine in the period 2002–2003 to 9.4 per cent in the period 2019–2020, considerably higher than that recorded in most other European countries.

865. According to data collected through the French “addictovigilance” system from 2010 to 2019, health harms related to the misuse of gabapentinoids (gabapentin and pregabalin) in France (hospitalization for serious neurological, psychiatric or cardiac effects, requests for support and deaths) were recorded and the intrinsic misuse potential of pregabalin was confirmed. The increasing misuse of gabapentinoids, in particular of pregabalin, in the country since 2018 highlights the importance of specific monitoring of substance use-related disorders even after marketing authorization has been given.

F. Oceania

Exploitation of Pacific island States for trafficking in drugs to Australia and New Zealand continues and there are indications that the region is also being used to traffic synthetic opioids to the United States and Europe.

Data on the prevalence of drug use and on treatment demand in Pacific island countries remain unavailable. The provision of prevention and treatment services throughout the region needs to be ensured if progress is to be made towards achieving Sustainable Development Goal 3, on ensuring healthy lives and promoting well-being for all at all ages.

1. Major developments

866. Transnational crime, including drug trafficking, continues to increase in the Pacific islands, with small craft being utilized by organized criminal groups for drug trafficking, in particular to Australia and New Zealand. In addition, Pacific island States are emerging as transit

points for trafficking in synthetic opioids to Australia, the United States and countries in Europe.

867. Non-parties to the three international drug control conventions remain concentrated in Oceania,⁶¹ which remains vulnerable to exploitation by organized criminal groups for large-scale trafficking in drugs and laundering of the proceeds of drug-related crimes and to other related risks, including domestic drug use. **The Board calls upon non-parties to take steps towards accession to the conventions and encourages regional and bilateral partners to provide support to this end, so that these States can benefit from the implementation of the conventions in terms of improving the availability of controlled medicines, preventing drug trafficking and use and ensuring the provision of evidence-based treatment and rehabilitation services.** This would contribute to progress towards the achievement of Sustainable Development Goal 3, on ensuring healthy lives and promoting well-being for all at all ages, in particular targets 3.5 and 17.18 of the Goals, on strengthening the prevention and treatment of substance use, and enhancing capacity-building support to developing countries, including for least developed countries and small island developing States, and increasing significantly the availability of high-quality, timely and reliable data, respectively. The 2030 Agenda, which contains the Goals, was adopted by the General Assembly in 2015 as a blueprint for achieving a better and more sustainable future for all. Regional and bilateral initiatives to prevent and address drug trafficking continue and the Board remains engaged with countries in Oceania, including through the implementation of the memorandum of understanding between the Board and the Oceania Customs Organization.

868. New Zealand enacted temporary legislation to permit the operation of drug- and substance-checking services during the 2020/21 summer festival season. In 2021, New Zealand introduced the Drug and Substance Checking Legislation Bill (No. 2), which is intended to enable a permanent regulatory system for drug- and substance-checking providers. However, the possession of controlled drugs and unapproved psychoactive substances remains illegal.

⁶¹Of the 10 States yet to accede to the 1961 Convention as amended, 7 are in Oceania: Cook Islands, Kiribati, Nauru, Niue, Samoa, Tuvalu and Vanuatu. Of the 13 States not party to the 1971 Convention, 8 are in Oceania: Cook Islands, Kiribati, Nauru, Niue, Samoa, Solomon Islands, Tuvalu and Vanuatu. Of the seven non-parties to the 1988 Convention, four are in Oceania: Kiribati, Papua New Guinea, Solomon Islands and Tuvalu.

2. Regional cooperation

869. In November and December 2020, the Australian Border Force held train-the trainer courses for customs and immigration officials from the region in the use of the Pacific Small Craft Application, which was developed by the Australian Border Force for Oceania Customs Organization members to improve the collection and sharing of information on small craft within the region. In April 2021, the Oceania Customs Organization and the Australian Border Force conducted training for border law enforcement agencies of Fiji on the use of the application. The Oceania Customs Organization has recognized that small craft remain a threat to all countries in the Pacific as they are used for a number of illicit activities, including drug trafficking by organized criminal groups. In June 2021, online training was held for Oceania Customs Organization members, including officers who are to serve as regional coordinators for the application. The training session was followed by a meeting of the Pacific Small Craft Application Regional Coordinators Forum to discuss the implementation of the technology within each jurisdiction.

870. In December 2020, the INCB GRIDS Programme provided access to and training on its latest intelligence tools for the Oceania Customs Organization and its members throughout the Pacific. The training was held within the framework of the 2019 memorandum of understanding between the Oceania Customs Organization and INCB, which is aimed at facilitating the sharing of information and the development of actionable intelligence for customs officers in the Pacific. Recognizing the critical role that customs administrations play in intercepting emerging dangerous substances, in particular in the Pacific, 11 front-line customs officers in Australia, Fiji, Micronesia (Federated States of) and Palau participated in the event. GRIDS Intelligence is a state-of-the-art secure analytics package that visualizes global real-time NPS trafficking incidents, providing intelligence profiles of dangerous non-scheduled substances for profiling and risk assessment by law and regulatory enforcement focal points. The training also provided an opportunity to highlight the emergence of Pacific island States as trafficking points for synthetic opioids.

871. In March 2021, the Pacific Islands Chiefs of Police, the Pacific Immigration Development Community, the Pacific Transnational Crime Coordination Centre and the Oceania Customs Organization conducted a joint pilot exercise on operation command with 26 participants from Fiji, Samoa and Solomon Islands. The exercise was conducted as part of ongoing efforts to improve

communication and networking processes to combat transnational crimes, which continue to increase in the region.

872. In August 2021, the Oceania Customs Organization held its annual conference, at which member customs administrations noted that the threat in the Pacific remained high from, inter alia, trafficking in drugs and welcomed the WCO Operational Guidelines for the Facilitation of Situationally Critical Medicines and Vaccines. Reference was made to the capacity-building activities carried out in the Pacific, including training on vessel searches, border security assessments, small craft targeting, cargo search, disruption of criminal business activities, risk assessments, document examination, and investigations and intelligence. In June 2021, the Oceania Customs Organization held a criminal business disruption workshop with the participation of 23 member customs administrations, law enforcement agencies from Fiji, the Pacific Transnational Crime Coordination Centre, the Pacific Transnational Crime Network, the Pacific Islands Chiefs of Police, the Pacific Islands Forum Secretariat, the Pharmaceutical Security Institute, the WCO Regional Intelligence Liaison Office for Asia and the Pacific, INCB and UNODC.

873. Drug control officials from the competent national authorities of four countries in Oceania, namely Australia, Kiribati, New Zealand and Papua New Guinea, have registered to use INCB Learning e-modules. The e-modules cover narcotic drugs, psychotropic substances, precursors, and the international drug control framework. They are available upon registration to officials of competent national authorities at no cost.

3. National legislation, policy and action

874. The Fiji Revenue and Customs Service announced the signing of an agreement with the Fiji Police Force for the sharing of information through the INTERPOL database and the National Customs Enforcement Network, with a view to further strengthening the country's border management system. The Fiji Police Force also announced the establishment of a narcotics bureau.

875. In June 2020, the Parliament of the Marshall Islands adopted an amendment to its national legislation, renaming the Narcotic Drugs (Prohibition and Control) Act the Prohibited Drugs (Prohibition and Control) Act. To reflect the substances present on the illicit market, the Act places methamphetamine, synthetic cathinones and "ecstasy" under national control.

876. In Palau, a canine detection unit was established to support law enforcement efforts, including drug detection.

877. In December 2020, the Therapeutic Goods Administration of Australia announced a final decision to reschedule certain low-dose CBD preparations from Schedule 4 (prescription medicine) to Schedule 3 (pharmacist-only medicine), which would allow low-dose CBD preparations approved by the Therapeutic Goods Administration of up to a maximum of 150 mg per day to be supplied by a pharmacist over the counter for adult consumption without a prescription. The decision also covered limits on dosage form and packaging requirements, including pack size and the use of child-resistant closures.

878. In June 2021, the Narcotic Drugs Amendment (Medicinal Cannabis) Act 2021 was adopted in Australia. The legislation is aimed at reducing the burden of the licence assessment process by providing for a single medicinal cannabis licence to replace the previous three-licence structure that was required for cultivation, production, manufacture and research activities, and by providing for the majority of licences to be permanent. The amendments were presented as reaffirming the commitment of the Government to the availability of a safe, legal and sustainable supply of cannabis-derived medicines for patients.

879. In December 2020, the Parliament of New Zealand passed time-limited legislation, the Drug and Substance Checking Legislation Act 2020, permitting the operation of drug- and substance-testing services during the 2020/21 summer festival season. However, it will remain illegal for members of the public to possess controlled drugs and unapproved psychoactive substances. The Act is to be repealed automatically 12 months after commencement. As mentioned in paragraph 868 above, New Zealand also introduced the Drug and Substance Checking Legislation Bill (No. 2).

880. In October 2021, Tonga hosted a national symposium on illicit drugs. The panel discussions were focused on three strategic focus areas: (a) demand reduction; (b) supply reduction; and (c) harm reduction. The symposium revealed that the main illicit drugs circulating on the local market were methamphetamine, cocaine and cannabis. It also revealed an increase in the proportion of people being admitted to the psychiatric unit at the main hospital with drug-related issues, from 31.7 per cent in 2016 to 47.4 per cent in 2018.

4. Cultivation, production, manufacture and trafficking

881. Most drug seizures in Oceania are accounted for by Australia and New Zealand. However, continued reports of seizures in other countries of the region illustrate the exploitation of Pacific island States for trafficking in drugs to Australia and New Zealand.

882. The Fiji police service reported seizures of methamphetamine, as well as the seizure of over 4 tons of cannabis plant on the island of Kadavu, over the period June 2020–March 2021. The Government of the Federated States of Micronesia reported the seizure of cannabis shipped in a parcel from the United States.

883. In December 2020, the Samoa police reported the eradication of approximately 4,000 cannabis plants and the Samoa Customs and Revenue Service reported a record seizure of 500 grams of methamphetamine, together with 2 kg of cannabis. This was followed in January 2021 by a further record seizure in Samoa, of 900 grams of methamphetamine concealed in packages shipped from the United States. The Government of Tonga reported seizures of methamphetamine and cannabis, as well as of cocaine that had washed up on the shores of Vava'u in July 2021.

884. A record 38.5 tons of illicit drugs were seized in Australia in the 12-month period from July 2019 to June 2020, including 18 tons of ATS and 10.6 tons of cannabis. This marked a 45 per cent increase compared with the previous year and a 314 per cent increase compared with the 12-month reporting period 2010/11. There are indications that the illicit markets for ATS and cannabis remain large, with the potential to expand. In addition, the illicit market for cocaine continued to expand and the heroin market, while relatively small, also appeared to be expanding.

885. Preliminary drug seizure data from New Zealand Customs show that the amounts of methamphetamine seized at the country's border increased in the first half of 2021, reaching 381.8 kg, compared with the same period in 2020, when they reached 105 kg, while the volume of "ecstasy" seized decreased, from 197.6 kg to 27.8 kg. The amount of cocaine seized remained stable at about 10 or 11 kg.

886. Of people self-reporting drug use in Australia and New Zealand, the proportion who purchased drugs over the darknet (based on a non-representative convenience sample of some 3,600 people per year in Australia and 3,200 people in New Zealand) increased from 6.0 per cent

in January 2014 to 17.5 per cent in January 2021, suggesting that the popularity of the darknet for drug purchases in the two countries remains above the global average (namely 4.7 per cent in January 2014 and 14.5 per cent in January 2021, based on roughly 100,000 self-selected people from more than 50 countries each year).

5. Prevention and treatment

887. There is a persistent lack of data on drug use and treatment demand in Pacific island States. **The Board recommends that these States prioritize the collection of data on drug use trends and treatment demand in order to inform the development of evidence-based drug control policy, and encourages bilateral partners and regional and international organizations to provide support to this end.**

888. Wastewater analysis in April 2021 covering 56 per cent of the population of Australia indicated signs of recovery in the illicit market for methamphetamine, which remained the most-consumed illicit drug in the country. Fentanyl and oxycodone consumption decreased to the lowest levels recorded by the National Wastewater Drug Monitoring Programme. Heroin consumption continued to decline and cocaine consumption also decreased. "Ecstasy" consumption decreased from the record level seen in December 2019.

889. Of a sample of people who had injected drugs at least once monthly in the preceding six months, 9 per cent reported an increase in using their own needles and 13 per cent reported injecting more alone following the introduction of measures to prevent the spread of COVID-19. Among the sample group, the prevalence of recent (past six months) use of heroin increased from 55 per cent in 2019 to 63 per cent in 2020. The proportion of respondents reporting recent methamphetamine use decreased from 78 per cent in 2019 to 72 per cent in 2020. While reported recent use of cocaine had declined from 35 per cent in 2001, an increase was seen between 2019 and 2020, from 13 per cent to 17 per cent. Recent use of cannabis reached the lowest level (67 per cent) since monitoring commenced. Morphine was the pharmaceutical opioid most commonly used without a prescription (15 per cent) and the non-medical use of fentanyl was reported by 6 per cent of respondents. A decrease in recent use of codeine without a prescription was seen, from 9 per cent in 2019 to 4 per cent in 2020. Nearly half (48 per cent) of the sample were engaged in drug use treatment, reflecting an increase compared with 2019 (42 per cent).

890. Among adults detained by police in Australia, past-month use of methamphetamine decreased from 55 per cent in the period January–February 2020 to 38 per cent in the period April–June 2020 and then increased to 39 per cent in the period October–November 2020.

891. In Australia, between the 12-month reporting period 2015/16 and the 12-month reporting period 2019/20, amphetamines replaced cannabis as the most common illicit drug of concern leading to treatment. The number of closed treatment episodes⁶² where amphetamines were the principal drug of concern increased from about 12,500 episodes to 61,000 episodes over the 10-year period to 2019/20. In 2019/20, nearly 8 in 10 treatment episodes within the amphetamines group were for methamphetamine as a principal drug of concern, having increased from 12 per cent in the 12-month reporting period 2010/11. Over the same period, the number of treatment episodes for cannabis rose by 27 per cent and the number of treatment episodes for cocaine increased about fourfold.

892. According to provisional data, the proportion of drug-induced deaths involving amphetamines increased by a factor of four over the period 2009–2019 in Australia. The proportion of drug-induced deaths involving cocaine increased by a factor of 2.5 over the period 2016–2019. While natural and semi-synthetic opioids were the most commonly identified opioid in opioid-related deaths in the period 1997–2018, heroin was the most commonly identified opioid in opioid-related deaths in 2019. The rate of opioid-induced deaths involving heroin doubled in the period 2009–2019.

893. The New Zealand Health Survey for the period 1 July 2019–19 March 2020 found that past-year prevalence of use of cannabis and amphetamine prior to the pandemic was 14.9 per cent and 1.1 per cent respectively, which was similar to the previous survey period but represented an increase compared with earlier years.

894. Wastewater monitoring covering up to 75 per cent of the population in New Zealand indicated that methamphetamine use in the first quarter of 2021 had

decreased by 14 per cent compared with the previous quarter, and by 30 per cent compared with the first quarter of 2020. The lowest level of “ecstasy” consumption since reporting began was recorded in the first quarter of 2021, representing a 53 per cent decrease from the previous quarter. Cocaine consumption remained relatively stable but represented a decrease of 41 per cent compared with the first quarter of 2020. Comparison of wastewater data in one week of May 2021 and April 2021 indicated an increase in the quantities detected of methamphetamine (27 per cent increase), “ecstasy” (43 per cent increase) and cocaine (37 per cent increase). Total detected levels of “ecstasy” in May 2021 remained lower than in May 2020 and May 2019. The total level of cocaine detected in May 2021 indicated an increase compared with the quantity consumed in May 2020 and May 2019.

895. In 2021, the early warning system of New Zealand, operated by the Drug Information and Alerts New Zealand of the National Drug Intelligence Bureau, issued alerts about dangerous synthetic cannabinoids, possibly linked to a number of deaths and hospitalizations, and about tablets containing a dangerous amount of eutylone that had been likely sold as “ecstasy”.

896. In Oceania, the level of availability of narcotic drugs for medical and scientific purposes remains skewed, with lower levels of availability seen in the Pacific island States. In 2020, Australia and New Zealand, representing 0.4 per cent of the global population, accounted for 4 per cent of global consumption of morphine. During the period 2019–2020, there was a marked decrease in the reported consumption of opioid analgesics in Oceania. However, the level of consumption of opioids, including fentanyl and oxycodone, in Oceania remains among the highest in the world, and represents a risk for potential misuse and overdose. Determining levels of consumption of psychotropic substances for Oceania remains a challenge, as over a quarter of the countries in the region have not provided consumption data on any psychotropic substance for the past several years. A slight improvement for 2020, however, suggests that continuous efforts in this regard will facilitate better assessments on the availability of psychotropic substances in the region.

⁶² A treatment episode is considered closed when treatment is completed or has ceased; there has been no contact between the client and treatment provider for three months; or there is a change in the main treatment type, principal drug of concern or delivery setting.

Chapter IV.

Recommendations to Governments, the United Nations and other relevant international and national organizations

897. Following its review of the implementation of the international drug control conventions, the Board would like to present to Governments and relevant international and regional organizations its main conclusions and recommendations, which are set out below.

Illicit financial flows related to drug trafficking and their impact on development and security

898. Drug trafficking is one of the most lucrative activities of organized criminal groups. It not only has detrimental health implications for consumers but also fuels violence, insecurity, instability and corruption in nations in which the production, transportation, distribution and consumption of drugs occur. The illicit financial flows through which organized criminal groups seek to maximize their profits serve as the lifeblood of all aspects of trafficking; curbing them is therefore essential to addressing drug trafficking around the world. Meanwhile, globalization has fostered more movement of capital, financial innovations and new technology, such as mobile payments and digital currencies, which have magnified the threat from illicit financial flows and transnational organized crime.

899. Illicit financial flows related to crimes such as drug trafficking undermine the global financial system and threaten political, economic and social stability and security around the world. Illicit financial flows also promote bribery and corruption and finance insurgency and, in some cases, terrorist activities. They also destabilize and deter legitimate enterprise, foreign investment and

development. Money-launderers and terrorist financiers exploit loopholes in and differences among national systems for countering money-laundering and the financing of terrorism and move their funds to or through jurisdictions with weaker or ineffective legal and institutional frameworks. Therefore, the international community must work together to reduce illicit financial flows by detecting, monitoring, seizing, repatriating and preventing them. Those involved in illicit financial flows contribute to crime, violence, instability, corruption and inequality. Since illicit financial flows know no borders or nationality, all countries must do their part to address them.

Recommendation 1: In order to curb illicit financial flows related to drug trafficking and prevent their impact on development and security, the Board recommends that all Governments:

- (a) Improve methods to identify, measure and calculate inbound and outbound illicit financial flows and identify the illicit activities to which they are related;
- (b) Focus equally on drug supply- and demand-reduction strategies that also address illicit financial flows and engage the public and private sectors and civil society in countering drug trafficking and illicit financial flows;
- (c) Become parties to and implement all United Nations conventions related to countering transnational organized crime, in particular trafficking in drugs, illicit financial flows and corruption, and implement all the provisions of article 3, paragraph 1 (b), of the 1988 Convention, as well as those of the International Standards on

Combating Money Laundering and the Financing of Terrorism and Proliferation of the Financial Action Task Force;

- (d) Further strengthen anti-money-laundering measures, such as beneficial ownership laws, across nations so that advantage cannot be taken of regulatory weaknesses in some jurisdictions to avoid the detection of and sanctions for illicit financial flows;
- (e) Continue to conduct financial sector assessments, provide technical assistance to the financial and non-financial sectors and monitor economic systems to ensure compliance with the International Standards on Combating Money Laundering and the Financing of Terrorism and Proliferation;
- (f) Establish specialized units or task forces at the national and international levels to share intelligence and investigate illicit financial flows, identify and seize assets and detect, dismantle and deter organized criminal networks involved in illicit financial flows;
- (g) Raise awareness by working with the private and non-governmental sectors to educate government leaders and the public about how illicit financial flows related to drug trafficking have a negative impact on political, economic and social stability and development around the world, including by exploring the potential for utilizing proceeds of asset recovery and forfeiture of property related to drug trafficking to expand the availability of drug prevention, treatment and rehabilitation services;
- (h) Take steps to prevent the possible exploitation of newly emerging financial services and products, such as e-wallet services and cryptocurrencies, for trafficking in dangerous substances;
- (i) Combat impunity through more effective transparency laws that provide for appropriate penalties for individuals and entities involved in corruption and illicit financial flows;
- (j) Promote a culture of accountability and transparency to curb corruption and the illicit economy by including civic and moral values in educational curricula from an early stage.

900. For additional recommendations and more details on proposed action, see the section entitled “Challenges for the international community and recommendations to address illicit financial flows related to drug trafficking”, contained in chapter I of the present report.

Universal adherence to the international drug control conventions

901. The three international drug control conventions represent the international consensus on requirements for the control of licit trade in narcotic drugs, psychotropic substances and precursor chemicals that can be diverted, and on the measures needed to facilitate access to and availability of controlled substances for legitimate medical and scientific purposes. The conventions provide a common normative framework for effective international drug control, in particular in their capacity as the legal basis for international cooperation, extradition and mutual legal assistance. As such, the Board continues to engage with States having yet to become party to one or more of the three conventions with the aim of supporting them in this pursuit and to encourage the comprehensive incorporation of the conventions into national law. By becoming parties to the conventions, States demonstrate their common and shared responsibility for meeting those minimum requirements with a view to achieving the aim of the conventions, which is the health and welfare of humankind.

Recommendation 2: The Board reiterates that universal ratification of the international drug control conventions is important for strengthening the international licit drug control framework and for preventing traffickers from targeting non-parties owing to actual or perceived weaknesses in the scope of control of scheduled substances. Accordingly, the Board urges all States not yet having become parties to one or more of these instruments to do so without delay and to take steps to ensure their full implementation within their national legal orders.

Use of cannabis for non-medical purposes

902. The Board continues to reiterate its concern regarding the legalization of the use of cannabis for non-medical and non-scientific purposes in several jurisdictions, with other jurisdictions considering similar action. The Board reiterates that the 1961 Convention as amended, the 1971 Convention and the 1988 Convention limit the use of all controlled substances to medical and scientific purposes.

903. The developments in a few countries that have legalized or permitted the use of cannabis for non-medical purposes or that have tolerated its legalization at the sub-national level are undermining the universal adherence to the three international drug control conventions and

the commitment to their implementation, which was reaffirmed by Member States at the special session of the General Assembly on the world drug problem held in 2016 and in the 2019 Ministerial Declaration on Strengthening Our Actions at the National, Regional and International Levels to Accelerate the Implementation of Our Joint Commitments to Address and Counter the World Drug Problem.

Recommendation 3: The Board wishes to remind all parties to the 1961 Convention as amended that, under article 4, paragraph (c), thereof, and subject to the provisions of that Convention, the production, manufacture, export, import, distribution of, trade in, use and possession of drugs are limited exclusively to medical and scientific purposes and that any measures allowing for the use of cannabis for non-medical purposes are in violation of the legal obligations incumbent upon parties.

International drug control conventions and human rights

904. The fundamental goal of the international drug control conventions, to safeguard the health and welfare of humanity, includes the full enjoyment of human rights. States' actions that violate human rights in the name of drug control policy are inconsistent with the international drug control conventions. Extrajudicial responses to suspected drug-related activities cannot be justified under international law, including under the international drug control conventions.

Recommendation 4: The Board urges all Governments to consistently apply internationally recognized human rights principles and protections when designing and implementing drug control policies. Ensuring the full enjoyment of human rights requires that States treat all people with dignity and respect, including people who use drugs and people who are suspected or formally accused of drug-related offences.

Recommendation 5: The Board takes the opportunity of the present annual report to appeal to Governments to take all measures necessary to prevent the extrajudicial targeting of persons suspected of involvement in drug-related offences. The Board reiterates in the strongest possible terms that extrajudicial responses to drug-related criminality are in violation of the international drug control conventions and of fundamental human rights, which require that drug-related crimes be addressed through formal processes, adhering to due process standards. Governments are called upon to

investigate and prosecute all instances of extrajudicial action purportedly taken in the name of drug control.

Recommendation 6: In view of the relevant international conventions and protocols and the resolutions of the General Assembly, the Economic and Social Council and other United Nations bodies on the application of the death penalty, the Board reiterates its call upon all States that retain the death penalty for drug-related offences to consider abolishing it for such offences and commuting death sentences that have already been handed down.

905. In addressing suspected drug-related crime, Governments should be proportionate in their responses and in their treatment of suspected offenders. According to the principle of proportionality, the penalties handed down should reflect the gravity of the offence and the degree of responsibility of the suspected offender. In cases of lesser gravity, or in which the alleged crime has been committed by a person who uses drugs, States are not legally required under the international drug control conventions to impose criminal sanctions, including imprisonment, but may provide for treatment and rehabilitation measures as an alternative to conviction or punishment, or in addition thereto.

Recommendation 7: The Board reiterates its position that the criminal justice responses adopted by Governments to drug-related crimes should be carried out in a manner consistent with the principle of proportionality. The treatment of persons suspected of drug-related offences should be consistent with human rights principles, including that applied penalties should be proportionate to the severity of the offence. Disproportionate responses to drug use and possession are counterproductive to the protection of public health and human rights, and alternative measures can constitute an integral part of a balanced and human rights-based approach to drug policy.

Recommendation 8: The Board notes that the provision of treatment and rehabilitation, including as alternatives to conviction or punishment for drug-related offences, has a positive impact on the health and welfare of people and improves overall criminal justice processes, but remains underutilized by States parties. Since the international drug control conventions do not require the imposition of criminal sanctions for drug-related crimes of lesser gravity, including those committed by people who use drugs, minor offences can be responded to effectively through alternatives to conviction and punishment that reflect the nature of drug use and dependence as public health issues.

Availability of controlled substances for medical and scientific purposes and accurate reporting of data

906. The lack of availability of controlled narcotic drugs and psychotropic substances for legitimate medical use continues to represent a pressing public health problem in many regions of the world today, a situation that has often been erroneously attributed to the control requirements of the international drug control framework. In many States, access to and availability of medicines containing controlled substances have been hindered by the lack of capacity and training of national officials, weak and underresourced health-care systems, a lack of know-how on accurately evaluating the needs of the population, inadequate regulation and too few and insufficiently trained health-care professionals.

Recommendation 9: Governments must foster access to and the availability of narcotic drugs and psychotropic substances for medical purposes through improved access to health services and effective systems of administrative controls that regulate the production, manufacture, import and export of such drugs and substances, keeping in mind that States themselves must adequately evaluate their domestic requirements and report them to Board. Such effective regulatory controls should allow the legitimate medical needs of the populations to be met.

907. The cultivation of opium poppy for the production of opium and opiate raw material is a matter of major international importance in the context of drug control and public health. While recognizing the challenge posed by existing disparities in access to opioid analgesics, the amount of opiate raw material available globally for the past several years for the manufacture of narcotic drugs for medical purposes, including for pain management, has been more than sufficient to satisfy the current and anticipated levels of global demand as estimated by Governments, because both production and stocks have continued to increase.

Recommendation 10: The Board reiterates that there is an urgent need to increase levels of consumption and to improve the prescription and use of opioid analgesics for medical purposes in all countries reporting inadequate and very inadequate levels of consumption and calls for targeted public policies with the support of Governments, health systems and health professionals, civil society, the pharmaceutical industry and the international community.

Recommendation 11: The Board highlights that, although data from producing and manufacturing countries point to a balance between the supply of opiate raw materials and the demand for opiates, there are significant disparities between countries in terms of the availability of medicines containing narcotic drugs and psychotropic substances, which points to insufficient availability, especially in low- and middle-income countries, because many countries do not accurately estimate their medical need for opioid analgesics or have limited access to them. Consequently, and in line with the provisions and objectives of the 1961 Convention as amended, the Board emphasizes the importance of ensuring sufficient availability at the global level and calls upon countries with greater resources to assist other countries in their efforts to ensure access to and the availability of substances for the treatment of pain.

908. It is essential that the Board has accurate data from countries regarding their licit activities around internationally controlled substances, as well as accurate estimates and assessments for narcotic drugs and psychotropic substances and estimates of annual legitimate requirements for imports of selected precursors of ATS. These data allow the Board to properly assess the global situation regarding the licit control system and provide guidance as necessary. The Board remains concerned that some countries continue to face difficulties in their national systems in collecting data on the licit use of controlled substances and in accurately estimating and assessing their needs for narcotic drugs, psychotropic substances and precursors.

Recommendation 12: The Board urges Governments to continue to strengthen their national mechanisms to monitor the cultivation, production and manufacture of and trade in controlled substances. This may be achieved, in part, by improving and developing national data-collection systems, training staff of the competent national authorities and ensuring close cooperation with companies licensed to deal with internationally controlled substances.

Recommendation 13: The Board recommends that Governments continue to strengthen the capacity of competent national authorities to adequately estimate the medical, scientific and industrial need for narcotic drugs and assessments for psychotropic substances and precursors, and also recommends that Governments enhance domestic data-collection mechanisms so that they can present estimates and assessments that reflect their national needs. The Board encourages Governments to seek the assistance of its secretariat to strengthen the

capacity of competent authorities and also encourages Governments to make use of the INCB Learning e-learning modules.

909. The provisions of the 1971 Convention do not require countries, in their statistical reports to the Board, to provide data on consumption. However, the Commission on Narcotic Drugs, in its resolution 54/6, encouraged Member States to provide such data to the Board to enable it to analyse levels of consumption of psychotropic substances and promote their availability. Approximately half of the States parties that provide statistical data to the Board provide data on their consumption of psychotropic substances.

Recommendation 14: The Board appreciates the cooperation of the Governments that submitted data on the consumption of some or all psychotropic substances for 2020 and calls upon all Governments to report on the consumption of psychotropic substances on an annual basis, pursuant to Commission on Narcotic Drugs resolution 54/6, as such data are essential for an improved evaluation of the availability of psychotropic substances for medical and scientific purposes.

910. INCB Learning is a global programme of the Board aimed at improving the capacity of Governments to fulfil their convention mandates and ensure the availability of controlled substances for medical and scientific purposes. The Board is grateful for the contributions to INCB Learning made by the Governments of Australia, Belgium, France, the Russian Federation, Thailand and the United States.

Recommendation 15: The Board reiterates its invitation to Governments to consider actively supporting INCB Learning by participating in its activities and providing the resources required to ensure the programme's continuation and expansion.

Ensuring access to and availability of controlled substances for international humanitarian emergencies

911. An increasing number of emergency situations caused by climate change and armed conflicts have increased the demand not only for international humanitarian assistance, but also for controlled substances for the provision of quality essential care in humanitarian

settings. Since the beginning of 2020, when an increasing number of countries were declaring national emergencies relating to COVID-19, the effectiveness of simplified control measures during emergency situations has been tested. INCB organized and conducted a review and discussion of the lessons learned in the implementation of those measures among competent authorities, international humanitarian organizations and related United Nations agencies. The outcome of that review is a document entitled "Lessons from countries and humanitarian aid organizations in facilitating the timely supply of controlled substances during emergency situations", which contains important actions that Governments can take to improve their emergency preparedness and sets out procedures that they can follow during emergency situations.

Recommendation 16: The Board strongly encourages Governments to review existing national legislation on controlled substances and make amendments and/or adopt new provisions that allow for greater flexibility in the import and export of such substances during emergency situations, such as permitting their export and import without the corresponding import authorizations and/or estimates, with clear specifications of the conditions under which such flexibility can be exercised. All relevant front-line workers responsible for the delivery of controlled substances should also be made aware of the emergency procedures and be trained in their use.

Strengthening prevention and treatment strategies through information-gathering and other means

912. Determining the extent of global drug use continues to be impeded by the lack of available information and prevalence data from most regions. This lack of data hinders the ability to determine the scope and consequences of drug use. It also hinders Governments and the international community as they seek to respond effectively through evidence-based drug use prevention and treatment programmes.

Recommendation 17: The Board reiterates its call to all States to develop mechanisms to improve the collection of information on drug use prevalence, with the aim of developing drug use prevention and treatment strategies that are based on evidence and tailored to each country's specific needs.

Narcotic drugs

913. Even though noscapine is not under international control, a significant amount of morphine can be extracted from opium poppy rich in noscapine.

Recommendation 18: For the purposes of monitoring and controlling the production of morphine, the Board requests the countries that cultivate opium poppy rich in noscapine to provide information in a consistent and regular manner about that cultivation and the intended use of and any extraction and use of the morphine alkaloid from this variety.

Psychotropic substances

914. Article 13 of the 1971 Convention allows a State party to notify the other parties to the Convention that it prohibits the import of a specific substance included in Schedule II, III or IV of the Convention. In addition to being formally notified by the Secretariat of the United Nations when the article has been invoked, parties can find the list of countries that have invoked article 13 in the INCB “Green List”, along with the substances for which an import prohibition has been put into place.

Recommendation 19: The Board calls upon States to ensure that the import prohibitions invoked by States parties pursuant to article 13 of the 1971 Convention are respected. The Board encourages States with import prohibitions under article 13 to ensure that such prohibitions are appropriate with respect to their current needs for controlled substances.

915. The 1971 Convention does not require Governments to provide information on diversions or seizures of psychotropic substances from licit channels directly to the Board, although a number of Governments do provide such information to the Board on a voluntary basis. The Board is grateful to countries that provide voluntary reports or other information regarding seizures or other interdiction efforts with regard to trafficking in or diversion of psychotropic substances.

Recommendation 20: The Board calls upon Governments to furnish directly to it any information on diversions or attempted diversions of psychotropic substances and to keep it apprised of developments in the trafficking of psychotropic substances.

Precursor chemicals

916. The Board, in line with its mandate, continues to support Governments in their efforts to establish and implement cooperation with industry, on the basis of mutual respect and shared responsibility, to ensure the prevention of the diversion of precursor chemicals, including non-scheduled chemicals.

917. This year’s report of the Board on the implementation of article 12 of the 1988 Convention highlights the urgency of accelerating global momentum to address the proliferation of non-scheduled chemicals and designer precursors. The persisting appearance of non-scheduled chemicals and designer precursors in illicit drug manufacture is widely understood as a key challenge to the international precursor control system. The Board has repeatedly called attention to the risks that chemicals not under international control, together with the rapidly evolving illicit drug manufacture environment, represent for regulatory, law enforcement and judicial authorities globally.

Recommendation 21: The Board wishes to reiterate the importance of cooperation with industry, including the voluntary aspect thereof, in particular with a view to addressing the proliferation of non-scheduled chemicals and designer precursors, and encourages Governments to continue their efforts to establish and implement mechanisms for such cooperation. Governments that have built successful models of industry cooperation are encouraged to share these experiences with the Board in order to be shared further as global good practices, and to assist interested Governments wanting to establish cooperation with industry.

Recommendation 22: The Board encourages Governments to sustain the momentum and increase the level of cooperation with each other and with the Board in order to reach global consensus on measures regarding non-scheduled chemicals and designer precursors. INCB also calls upon Governments to continue exchanging relevant information on suspicious transactions involving non-scheduled chemicals and designer precursors and to contribute to the detection of possible loopholes in national or regional control systems that may be exploited by traffickers.

918. As revealed in the global survey on national drug precursor legislation and domestic control carried out by the Board, lack of control of domestic trade and distribution of one or more substances included in the tables of the 1988 Convention was reported by several Governments. In order to ensure effective international and national

control, all States parties must ensure timely implementation of the scheduling decisions by the Commission on Narcotic Drugs taken within the framework of the 1988 Convention.

Recommendation 23: The Board reiterates its call for Governments to pay increased attention to strengthening comprehensive precursor monitoring systems at the national level and to refer to the guidance provided in article 12, paragraph 8, of the 1988 Convention. Further, the Board emphasizes the critical importance of full implementation of the scheduling decisions of the Commission on Narcotic Drugs for effective global precursor control and urges States parties to the 1988 Convention to ensure that the deadline of 180 days to make such scheduling decisions effective at the national level, provided for in article 12, paragraph 6, of that Convention, is met.

Manufacture and proliferation of fentanyl analogues

919. Given that fentanyl analogues more potent than fentanyl are increasingly linked to a substantial proportion of overdose deaths in localities severely affected by the global opioid crisis, additional monitoring within countries is necessary. In particular, the potency of many fentanyl analogues allows manufacturers to traffic small quantities anonymously, exploiting freight forwarders and postal or express courier services across the world. E-commerce platforms and the darknet may also be exploited by vendors marketing fentanyl analogues through the use of a variety of techniques to evade screening and detection by platform administrators. Efforts to address the crisis should provide a better picture of the prevalence of fentanyl analogues in the supply of synthetic opioids and help track their proliferation, while also helping to monitor the potency and risks associated with new fentanyl analogues. To this end, INCB maintains a list of over 140 fentanyl-related substances with no known medical, industrial or other legitimate use.

Recommendation 24: The Board encourages Governments to direct more attention at the national level towards monitoring new fentanyl analogues in circulation and towards testing for fentanyl analogues in overdose toxicology examinations. The Board also encourages Governments to make full use of its online communications platforms: IONICS to track and halt trafficking in fentanyl analogues and PICS for their precursors.

Recommendation 25: The Board invites all Governments and, through them, industry partners, to voluntarily

refrain from any manufacture, marketing, export, import or distribution of the substances on its list of fentanyl-related substances with no known medical, industrial or other legitimate use and on its other lists. As these substances have no legitimate purposes, Governments may also use the lists for interdiction actions.

Recommendation 26: The Board encourages Governments to work with the INCB GRIDS Programme and its public-private partnership initiative to engage relevant industry sectors with the goal of voluntarily identifying, preventing and eliminating vendors attempting to exploit legitimate industry for the purposes of trafficking in dangerous substances not under international control.

Recommendation 27: The Board underlines the importance of undertaking focused and time-bound intelligence-gathering operations to enhance coordination, close knowledge gaps and improve the sharing of information among law enforcement authorities with regard to modus operandi and trafficking activities.

Recommendation 28: The Board invites Governments to make use of the IONICS platform and the related tools available to Member States, such as GRIDS Intelligence, operated by the GRIDS Programme, to obtain, review and share relevant operational information and intelligence on fentanyl analogues and related substances.

Recommendation 29: The Board emphasizes the need for increased efforts to reduce trafficking in NPS and emerging non-medical synthetic opioids and invites Governments to nominate law and regulatory enforcement focal points in police services and drug control, customs, postal and regulatory agencies to participate in specialized INCB training activities on NPS and non-medical synthetic opioids under the GRIDS Programme.

Materials and equipment used in illicit drug manufacture

920. Article 13 of the 1988 Convention, which calls upon the parties to take such measures as they deem appropriate to prevent trade in and the diversion of materials and equipment for illicit production or manufacture of narcotic drugs and psychotropic substances, has remained underutilized despite its value as a complementary tool in addressing illicit drug manufacture. During 2021, the Board conducted several activities to increase awareness and provide guidance to Governments on the operational use of article 13.

Recommendation 30: The Board reiterates its call to Governments to improve the implementation of article 13 of the 1988 Convention and invites them to continue working with it, as well as with national, regional and international associations of relevant industrial operators, to build global consensus for action based on this provision of the 1988 Convention.

Social media in the promotion and prevention of the use of drugs for non-medical purposes

921. The Board notes with concern that social media platforms are used to promote risky behaviours, such as the use of drugs for non-medical purposes, but that they could and should be used to promote healthy behaviours, with appropriate and tailored prevention messages and content.

922. Research shows that a wide range of NPS are regularly searched for and discussed in online forums. The GRIDS Programme monitors social media platforms for content about dangerous substances, including synthetic

opioids and NPS, and works with stakeholders towards voluntary action to address this phenomenon.

Recommendation 31: The Board encourages Governments to work in partnership with social media platforms to take action to reduce and, where possible, eliminate exploitation of the platforms by users to market, sell or otherwise promote illicit drugs, NPS and opioids, as well as drug precursors with no known legitimate use, inter alia, through the exchange of relevant information and best practices, including preventive measures, such as updated terms of service prohibiting this type of content, effective and accessible user tools to report suspected content violations, and up-to-date, automated algorithms to prevent, identify, restrict and remove content and users who do not abide by terms of service prohibiting these activities.

Recommendation 32: Social media are a critical tool for reaching vulnerable groups, including young people, and Governments should consider investing more resources in the development and implementation of drug prevention programmes and activities that make use of social media with tailored, engaging and entertaining messages and content.

(Signed)
Jagjit Pavadia, President

(Signed)
Raúl Martín del Campo Sánchez, Rapporteur

(Signed)
Mark Colhoun, Secretary

Vienna, 19 November 2021

Annex I

Regional and subregional groupings used in the report of the International Narcotics Control Board for 2021

The regional and subregional groupings used in the report of INCB for 2021, together with the States in each of those groupings, are listed below.

Africa

Algeria	Liberia
Angola	Libya
Benin	Madagascar
Botswana	Malawi
Burkina Faso	Mali
Burundi	Mauritania
Cameroon	Mauritius
Cabo Verde	Morocco
Central African Republic	Mozambique
Chad	Namibia
Comoros	Niger
Congo	Nigeria
Côte d'Ivoire	Rwanda
Democratic Republic of the Congo	Sao Tome and Principe
Djibouti	Senegal
Egypt	Seychelles
Equatorial Guinea	Sierra Leone
Eritrea	Somalia
Eswatini	South Africa
Ethiopia	South Sudan
Gabon	Sudan
Gambia	Togo
Ghana	Tunisia
Guinea	Uganda
Guinea-Bissau	United Republic of Tanzania
Kenya	Zambia
Lesotho	Zimbabwe

Central America and the Caribbean

Antigua and Barbuda	Guatemala
Bahamas	Haiti
Barbados	Honduras
Belize	Jamaica
Costa Rica	Nicaragua
Cuba	Panama
Dominica	Saint Kitts and Nevis
Dominican Republic	Saint Lucia
El Salvador	Saint Vincent and the Grenadines
Grenada	Trinidad and Tobago

North America

Canada	United States of America
Mexico	

South America

Argentina	Guyana
Bolivia (Plurinational State of)	Paraguay
Brazil	Peru
Chile	Suriname
Colombia	Uruguay
Ecuador	Venezuela (Bolivarian Republic of)

East and South-East Asia

Brunei Darussalam	Mongolia
Cambodia	Myanmar
China	Philippines
Democratic People's Republic of Korea	Republic of Korea
Indonesia	Singapore
Japan	Thailand
Lao People's Democratic Republic	Timor-Leste
Malaysia	Viet Nam

South Asia

Bangladesh	Maldives
Bhutan	Nepal
India	Sri Lanka

West Asia

Afghanistan	Oman
Armenia	Pakistan
Azerbaijan	Qatar
Bahrain	Saudi Arabia
Georgia	State of Palestine
Iran (Islamic Republic of)	Syrian Arab Republic
Iraq	Tajikistan
Israel	Turkey
Jordan	Turkmenistan
Kazakhstan	United Arab Emirates
Kuwait	Uzbekistan
Kyrgyzstan	Yemen
Lebanon	

Europe

Eastern Europe

Belarus	Russian Federation
Republic of Moldova	Ukraine

South-Eastern Europe

Albania	Montenegro
Bosnia and Herzegovina	North Macedonia
Bulgaria	Romania
Croatia	Serbia

Western and Central Europe

Andorra	Liechtenstein
Austria	Lithuania
Belgium	Luxembourg
Cyprus	Malta
Czechia	Monaco
Denmark	Netherlands
Estonia	Norway
Finland	Poland
France	Portugal
Germany	San Marino
Greece	Slovakia
Holy See	Slovenia
Hungary	Spain
Iceland	Sweden
Ireland	Switzerland
Italy	United Kingdom of Great Britain and Northern Ireland
Latvia	

Oceania

Australia

Cook Islands

Fiji

Kiribati

Marshall Islands

Micronesia (Federated States of)

Nauru

New Zealand

Niue

Palau

Papua New Guinea

Samoa

Solomon Islands

Tonga

Tuvalu

Vanuatu

Annex II

Current membership of the International Narcotics Control Board

César Tomás Arce Rivas

Born in 1954. National of Paraguay. Retired Director General, Office for National and International Cooperation and Institutional Strengthening of the National Anti-Drug Secretariat (2012–2020); Professor of Organic Chemistry, Faculty of Exact and Natural Sciences, National University of Asunción (since 1993).

Doctorate in Forensic Chemistry, Center for Forensic Medicine, Medical University of Vienna (1988–1990); Bachelor of Science in Chemistry, Faculty of Exact and Natural Sciences, National University of Asunción (1971–1975).

Previously held positions as Deputy Executive Secretary, National Anti-Drug Secretariat (2008–2012); Laboratory Director, National Anti-Drug Secretariat (1987–2007); Professor of Organic Chemistry I and II, Catholic University, Ciudad del Este, Paraguay (1996–2008); intern, laboratories of the Federal Police of Germany (1990).

Author and co-author of and contributor to numerous publications, including “Drug policy, strategy and action plan on drugs of Paraguay” (2016) and “Study of the interrelation of cannabinoids in marijuana and determination of the storage and harvest time of a marijuana sample, by means of the cannabinoid relation”.

Member of the delegation of Paraguay to the sixtieth session of the Commission on Narcotic Drugs (2017); meeting of drug control and drug administration organizations for the implementation of prevention and treatment

courses and the strengthening of health systems, Inter-American Drug Abuse Control Commission of the Organization of American States, held in Cancún, Mexico (2017); 12th Specialized Meeting of Drug Enforcement Authorities, Southern Common Market (MERCOSUR), held in Buenos Aires (2017); preparatory meeting for the special session of the General Assembly on the world drug problem, held in Vienna (2016); special session of the General Assembly on the world drug problem, held in New York (2016); biregional high-level meetings of the European Union and the Community of Latin and Caribbean States on the problem of drugs, held in Buenos Aires (2017), The Hague (2016), Montevideo (2015), Athens (2014) and Brussels (2012); South American Council on the World Drug Problem, Union of South American Nations, Asunción (2012) (President pro tempore); Specialized Meetings of Drug Enforcement Authorities, MERCOSUR, Asunción (2015 and 2009) (President pro tempore); Twenty-fourth Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, held in Asunción (2014) (Chair); international meeting of executives for the control of precursors and essential chemical substances, held in Santiago (1998); tenth, fifteenth, sixteenth and seventeenth international seminars of forensic chemistry, Drug Enforcement Administration, Washington, D.C. (1987–1995); Meeting of Auditors and Evaluators of the Control of Narcotics and Psychotropic Substances in Public Health, Santiago (1992).

Member of INCB (since 2020). Member of the Standing Committee on Estimates (since 2020).

Sevil Atasoy

Born in 1949. National of Turkey. Professor of Biochemistry and Forensic Science, Vice-Rector and Director, Institute of Addiction and Forensic Science; Head, Department of Forensic Science; Director, Center for Violence and Crime Prevention, Uskudar University, Istanbul. Director, Institute of Forensic Science, Istanbul University (1988–2010). Director, Department of Narcotics and Toxicology, Ministry of Justice of Turkey (1980–1993). Expert witness in civil and criminal courts (since 1980).

Bachelor of Science in Chemistry (1972), Master of Science in Biochemistry (1976), Doctor of Philosophy (PhD) in Biochemistry (1979), Istanbul University.

Lecturer in biochemistry, criminalistics and crime scene investigation (since 1982); supervisor of more than 50 master's and doctoral theses in the area of biochemistry and forensic science. Author of over 130 scientific papers, including papers on drug testing, drug chemistry, drug markets, drug-related and drug-induced crime, drug abuse prevention, clinical and forensic toxicology, crime scene investigation and DNA analysis.

Hubert H. Humphrey Fellow, United States of America Information Agency (1995–1996); Guest Scientist at the School of Public Health, Department of Forensic Science, University of California, Berkeley, and the Drug Abuse Research Center, University of California, Los Angeles; Department of Genetics, Stanford University; Department of Human Genetics, Emory University; California Criminalistics Institute; Federal Bureau of Investigation, Virginia; Crime Laboratories, Los Angeles Sheriff's Department, United States; Federal Criminal Police Office (BKA), Wiesbaden; Ludwig-Maximilian University, Munich Institute for Physical Biochemistry and Institute of Legal Medicine; Center of Human Genetics, Bremen University; Institute of Legal Medicine, Muenster University, Germany; United Nations Drug Laboratory, Vienna; Central Bureau of Investigation, New Delhi.

Member, special commission on preventing drug abuse, Office of the Prime Minister (since 2014). Founding editor, *Turkish Journal of Legal Medicine* (1982–1993). Member of the scientific board of the *International Criminal Justice Review*. Founding President, Turkish Society of Forensic Sciences; Honorary Member of the Mediterranean Academy of Forensic Sciences. Member of the International Society of Forensic Toxicology; the Indo-Pacific Association of Law, Medicine and Science; the International Association of Forensic Toxicologists; the American Academy of Forensic Sciences; the American Society of Crime Laboratory Directors; and the American Society of Criminology.

Member of INCB (2005–2010 and since 2017). Member (2006 and 2018) and Chair (2017 and 2020) of the Committee on Finance and Administration. Second Vice-President and Chair (2006 and 2021) and member (2007 and 2020) of the Standing Committee on Estimates. Rapporteur (2007 and 2019). First Vice-President of the Board (2008). President of the Board (2009).

Cornelis de Joncheere

Born in 1954. National of the Netherlands. Currently Chair of the Netherlands Antibiotics Development Platform, member of the Expert Advisory Group of the Medicines Patent Pool in Geneva and a consultant to WHO on pharmaceutical policies.

Doctor of Pharmacy (PharmD) and Master of Science (MSc) in Pharmacy, University of Groningen and University of Amsterdam, the Netherlands (1975–1981); Master's in Business Administration, University of San Diego, United States/San José, Costa Rica; Bachelor of Science (BSc). Pharmacy, cum laude (honour student), University of Groningen, the Netherlands (1972–1975).

Previously held positions as Director, Department of Essential Medicines and Health Products at WHO, Geneva (2012–2016), which included work on access to controlled medicines, and the WHO Expert Committee on Drug Dependence; WHO Representative, Kyiv (2011–2012); WHO Regional Adviser for Pharmaceuticals and Health Technologies, WHO Regional Office for Europe, Copenhagen (1996–2010); National Essential Drugs Programme Coordinator, Pan American Health Organization (PAHO)/WHO, Brazil (1994–1996); Pharmacist, Essential Drugs Projects Coordinator, PAHO/WHO, Costa Rica (1988–1993); Pharmaceutical expert, PAHO/WHO, Panama (1986–1988); pharmaceutical supply expert in Yemen, Ministry of Foreign Affairs, Directorate for International Cooperation, the Netherlands (1982–1985); hospital and community pharmacy in Amsterdam, the Netherlands (1981–1982).

President of the WHO Europe Staff Association (2006–2010); Member of the WHO Guidelines Review Committee (2007–2011); member of the Royal Dutch Pharmaceutical Society; author and co-author of numerous publications in the fields of pharmaceutical and health sciences.

Member of INCB (since 2017). Rapporteur (2017). Member of the Standing Committee on Estimates (2017–2018 and 2021). Member of the Committee on Finance

and Administration (2017–2018 and 2021). President of the Board (2019–2020).

David T. Johnson

Born in 1954. National of the United States. President, SwanJohnson LLC; adjunct faculty member, Arizona State University; retired diplomat. Bachelor's degree in economics from Emory University; graduate of the National Defence College of Canada.

United States Foreign Service officer (1977–2011). Assistant Secretary for the Bureau of International Narcotics and Law Enforcement Affairs, United States Department of State (2007–2011). Deputy Chief of Mission (2005–2007) and Chargé d'affaires, a.i. (2003–2005), United States Embassy, London. Afghan Coordinator for the United States (2002–2003). United States Ambassador to the Organization for Security and Cooperation in Europe (1998–2001). Deputy Press Secretary at the White House and Spokesman for the National Security Council (1995–1997). Deputy Spokesman at the State Department (1995) and Director of the State Department Press Office (1993–1995). United States Consul General, Vancouver (1990–1993). Assistant National Trust Examiner, Office of the Comptroller of the Currency, United States Treasury (1976–1977).

Member of INCB (since 2012). Member of the Committee on Finance and Administration (2012–2017). Chair of the Committee on Finance and Administration (2014 and 2018). Second Vice-President and Chair (2019) and member (since 2020) of the Standing Committee on Estimates.

Galina Korchagina

Born in 1953. National of the Russian Federation. Professor, Deputy Director of the National Centre for Research on Drug Addiction (since 2010).

Graduate of the Leningrad Paediatric Medical Institute, Russian Federation (1976); doctor of medicine (2001). Thesis based on clinical and epidemiological research dealing with new ways of looking at management of drug abuse in a time of change.

Previously held positions as paediatrician at the Central District Hospital of Gatchina, Leningrad region, and doctor at a boarding school (1976–1979); Head of the Organizational and Policy Division, Leningrad Regional

Drug Clinic (1981–1989); Lecturer, Leningrad Regional Medical Academy (1981–1989); Head Doctor, City Drug Clinic, St. Petersburg (1989–1994); Assistant Lecturer (1991–1996) and Professor (2000–2001), Department of Social Technologies, State Institute for Services and Economics; Assistant Lecturer (1994–2000), Associate Professor (2001–2002) and Professor (2002–2008), Department for Research on Drug Addiction, St. Petersburg Medical Academy of Postgraduate Studies; Chief Professor and Head of the Department for Medical Research and Healthy Lifestyles, Herzen State Pedagogical University of Russia (2000–2008); Professor, Department for Conflict Studies, Faculty of Philosophy, St. Petersburg State University (2004–2008).

Member of many associations and societies, including the Association of Psychiatrists and Drug Addiction Specialists of the Russian Federation and St. Petersburg, the Kettil Bruun Society for Social and Epidemiological Research on Alcohol, the International Council on Alcohol and Addictions and the International Society of Addiction Medicine. Head of the sociology of science aspects of medical and biological research section of the Research Council on the Sociology of Science and the Organization of Scientific Research, St. Petersburg Scientific Centre of the Russian Academy of Sciences (2002–2008).

Author of more than 100 publications, including more than 70 works published in the Russian Federation, chapters in monographs and several practical guides. Award for excellence in health protection from the Ministry of Health of the Union of Soviet Socialist Republics (1987). Consultant, Global Business Coalition on HIV/AIDS, Tuberculosis and Malaria (since 2006).

Expert on the epidemiology of drug addiction, Pompidou Group of the Council of Europe (1994–2003); participation in the WHO cocaine project (1993–1994) as leading researcher; WHO Healthy Cities project (1992–1998) as leading coordinator in St. Petersburg; WHO alcohol action plan, realization on the basis of the city treatment centre, St. Petersburg (1992–1998). Co-trainer, WHO programmes “Helping people change” (since 1992) and “Skills for change” (since 1995); and temporary adviser, WHO (1992–2008). Participant in meetings of the Commission on Narcotic Drugs (2002–2008).

Member of INCB (2010–2015 and since 2017). Vice-Chair (2011, 2012, 2017 and 2019) and member (2018) of the Standing Committee on Estimates. Member of the Committee on Finance and Administration (2020). First Vice-President of the Board (2013 and 2021).

Bernard Leroy

Born in 1948. National of France. Honorary Deputy Prosecutor General.

Degrees in Law from the University of Caen, Institute of European Studies of Saarbrücken, Germany, and University Paris X. Graduate of the French National School for the Judiciary (1979).

Previously held positions of Director of the International Institute of Research against Counterfeit Medicines (non-governmental organization, 2013–2020). Deputy General Prosecutor, Versailles Court of Appeal (2010–2013). Senior Legal Adviser, UNODC (1990–2010). Adviser in charge of international, legislative and legal affairs in the French National Drug Coordination Office (1988–1990). Investigating judge specializing in drug cases, Evry High Court (1979–1988). Head of the Legal Assistance Programme, UNODC, and Coordinator of the decentralized team of legal experts, Bogotá, Tashkent and Bangkok (1990–2010). Leader of the legal assistance team assisting the Government of Afghanistan in the drafting process of the new drug control law, 2004. Co-author of the preparatory study for the law introducing community service sentencing as an alternative to imprisonment in France (1981). Co-founder of “Essonne Accueil”, a non-governmental organization providing treatment services for drug addicts (1982). Member of the French delegation for the final negotiations of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988. Chair of the study group on cocaine trafficking in Europe, Council of Europe (1989). Author of the report resulting in the first European political coordinating committee to combat drugs (1989). Chair of the World Bank and UNODC joint team (the Stolen Asset Recovery (StAR) Initiative) that organized the freezing and subsequent recovery in Switzerland of the assets stolen by the former dictator Jean-Claude Duvalier in Haiti (2008).

Organizer of the lifelong learning programme on combating drug trafficking and addiction for members of the French judiciary, French National School for the Judiciary (1984–1994). Lecturer for medical graduates in psychiatry in the field of forensic expertise and responsibility, Faculty of Medicine, Paris-Sud University (1983–1990). Lecturer in the field of social work, University of Paris XIII (1984–1988). Lecturer for second-year master’s courses in Security and Public International Law, Jean Moulin Lyon 3 University (2005–2013).

Member of the Executive Board of the international section of the National Association of Drug Court

Professionals (2006). External member of the Management Board of the French Monitoring Centre for Drugs and Drug Addiction (2013). Member of the committee of the Reynaud report (2013). Honours: Chevalier of the Legion of Honour.

Selected publications include “Le travail au profit de la communauté, substitut aux courtes peines d’emprisonnement”, *Revue de science criminelle et de droit comparé*, No. 1 (Sirey, 1983); *Drogues et drogués (École nationale de la magistrature, 1983); Étude comparative des législations et des pratiques judiciaires européennes face à la drogue* (Commission of the European Communities, 1991); *Ecstasy*, Inserm Collective Expertise series (Editions Inserm, 1997); *The International Drug Control System*, in cooperation with Cherif Bassiouni and J. F. Thony, in *International Criminal Law: Sources, Subjects and Contents* (Martinus Nijhoff Publishers, 2007); *Routledge Handbook of Transnational Criminal Law*, Neil Boister and Robert Curie, eds. (Routledge, 2014).

Member of INCB (since 2015). Rapporteur (2015, 2018 and 2020). Member of the Standing Committee on Estimates (2016). Member of the Committee on Finance and Administration (2019 and 2021).

Viviana Manrique Zuluaga

Born in 1979. National of Colombia. Senior public policy consultant.

Master’s degree in interdisciplinary development studies; undergraduate studies in law, philosophy and international relations; specialized university courses in government and public policy, administrative law and European studies.

Previously held positions as university professor (2004–2018), in particular for comparative law (2016–2017) and human rights and international humanitarian law (2015–2017); Adviser to the President on Competitiveness and Productivity (2005–2008); Consultant on illicit drugs for the Organization of Ibero-American States for Education, Science and Culture (2011–2018); Administrative Attorney (2014–2017); Director of the Centre for Monitoring Weapons and Illicit Drugs, Universidad del Rosario (2010–2014); Deputy Minister of the Interior (2009–2010); Deputy Presidential Commissioner for the Puebla-Panama Plan (2007–2008). Honours: award for research on drug trafficking, presented by the Conference of American Armies (2015); Bomberos de Colombia (2011); Orden de la Justicia (2010); Coronel Bernardo Echeverry Ossa award in the category of “special first

time”, presented by the National Penitentiary and Prison Institute (2010); recognition by the National Narcotics Directorate of contribution to drug policy (2010); honour student, Universidad del Rosario (2004).

Author and co-author of numerous publications including *Diagnóstico regional para el posconflicto en Colombia* (chapter on illicit drugs) (Organization of Ibero-American States for Education, Science and Culture, 2018); “Una aproximación integral a la problemática de drogas ilícitas en Colombia” (2018); “La realidad de las drogas sintéticas” (2015); “Políticas públicas de lucha contra las drogas en Colombia: una mirada sistémica” (2015); *La Tenue Línea de la Tranquilidad: Estudio Comparado sobre Seguridad Ciudadana y Policía* (2004). Over 10 years of experience as an expert analyst in Colombian written media, including *www.semana.com*, *KienyKe* online magazine and *El Colombiano*; television and radio interviews for Colombian and international channels and stations such as RCN, Caracol, Blue Radio and Cable Noticias; and work for international media including CNN en Español and the *Miami Herald*.

Presenter and speaker at over 30 national and international conferences on illicit drugs and their relationship with citizen security, public policy and national security; organizer of the National Conference on Drugs in Colombia (2010–2014).

Member of INCB (2020–2021).^a Member of the Standing Committee on Estimates (2020–2021).

Raúl Martín del Campo Sánchez

Born in 1975. National of Mexico. Professor of policies in prevention, treatment and harm reduction of drug use. Member of the Seminar of Studies on Globality, Opioid Chapter of the Faculty of Medicine of the National Autonomous University of Mexico (UNAM) (since 2018); Planning Director of the National Institute of Psychiatry of Mexico (since 2018).

Bachelor’s Degree in Psychology, Autonomous University of Aguascalientes, 1998. Master’s Degree with honours in Health Psychology and Substance Abuse, Faculty of Psychology, UNAM.

Director General of the National Centre for the Prevention and Monitoring of Addictions (CENADIC) (May 2013–December 2016). Director of National Programmes on

Substance Abuse and the Mexican Observatory on Tobacco, Alcohol and Drugs, National Council against Addictions (CONADIC) (2012–2013); Founder and Director of the Institute for Substance Abuse of Mexico (IMCA) (2007–2011); Head of Department for Indicator Monitoring (CONADIC) (2003–2007); Head of the Psychology Unit (treatment of drug users), Drug Abuse Treatment Centre, Municipality of Aguascalientes (1999–2000).

Author and co-author of and contributor to numerous publications on drug abuse prevention, treatment, surveys and related subjects, including: *UNGASS Five Years After: Perspective from Mexico* (Salud Mental, 2021); “The two sides of opioid use: prescription and non-prescription use” (Springer, 2021); “The opioid crisis in America and high-risk opioid use in Africa and Asia” (Springer, 2021); “Synthetic opioids as new psychoactive substances and their precursor chemicals” (Springer, 2021); “Synthetic opioids purchased via web and delivered by postal services” (Springer, 2021); *The Identification of Admixture Patterns Could Refine Pharmacogenetic Counseling: Analysis of a Population-Based Sample in Mexico* (Frontiers in Pharmacology, 2020); *Profesionales para la promoción de la salud y prevención del comportamiento adictivo en México* (Inebria Latina, 2019); *Therapeutic Properties of Cannabinoid Drugs and Marijuana in Several Disorders: A Narrative Review* (Salud Mental, 2017); *National Survey on Drug Use Among Students, 2014* (INPRFM, CONADIC, 2015); “Is the medical use of cannabis supported by science?” (CENADIC, 2014); “The treatment model used by the ‘Centros Nueva Vida’ addiction treatment centres and its relationship to primary health-care services” and “Addiction treatment based on models for the State of Mexico: cases in the study of risk factors and prevention through the Chimalli model”, *Actualidades en adicciones 2012*, vol. II (CENADIC, 2012); “Is alcohol an isolated problem in children and adolescents?”, in *Actualidades en adicciones 2012*, vol. IV (CENADIC, 2012); “Alcohol in primary care mental health clinics”, in *Alcohol Use Disorder* (World Organization of National Colleges, Academies and Academic Associations of General Practitioners/Family Physicians, 2010); *State of Mexico Survey on Alcohol, Tobacco and Drug Use among Students* (INPRFM, IMCA, 2009); “The state of the art in Mexican research about addictions 2000–2006” (CONADIC, 2007).

Member of INCB (since 2016). Vice-Chair (2020) and member (2017–2019 and 2021) of the Standing Committee on Estimates. Member of the Committee on Finance and Administration (2019). Rapporteur (2021).

^aResigned, effective 6 September 2021.

Richard P. Mattick

Born in 1955. National of Australia. Honorary Professor of Drug and Alcohol Studies at the National Drug and Alcohol Research Centre, Faculty of Medicine, University of New South Wales; Professor of Brain Sciences, University of New South Wales; Principal Research Fellow awarded, Australian Government National Health and Medical Research Council (2013–2017 and 2019–2023) and endorsed and registered clinical psychologist.

Bachelor of Science (Psychology), Honours, Class 1, University of New South Wales, 1982; Master of Psychology (Clinical), University of New South Wales, 1989; Doctor of Philosophy, University of New South Wales, 1988; and Certificate in Neuroanatomy, Anatomy, University of New South Wales, 1992.

Director of Research, Australian National Drug and Alcohol Research Centre (1995–2001), and Executive Director, Australian National Drug and Alcohol Research Centre, Faculty of Medicine, University of New South Wales (2001–2009). Member, Australian National Expert Advisory Committee on Illicit Drugs (2002–2004), Australian National Expert Advisory Group on Sustained Release Naltrexone (2002–2004), Monitoring Committee of the Medically Supervised Injecting Centre for the New South Wales Government Cabinet Office (2003–2004), Australian Ministerial Council on Drug Strategy Working Party on Performance and Image Enhancing Drugs (2003–2005), Australian Government Department of Health and Ageing Expert Advisory Committee on Cannabis and Health (2005–2006), New South Wales Expert Advisory Group on Drugs and Alcohol for the New South Wales Minister of Health (2004–2013), Australian National Council on Drugs advising the Prime Minister (2004–2010), WHO/UNODC Technical Guidelines Development Group on Pharmacotherapy of Opioid Dependence (2004–2008), Australian Research Alliance for Children and Youth (2005–2015).

Served on the editorial and executive boards of *Drug and Alcohol Review* (1994–2005), and as Deputy Editor (1995–2000) and Executive Editor (2000–2005). Assistant Editor of the international peer-reviewed journal *Addiction* (1995–2005). Editor, Cochrane Review Group on Drugs and Alcohol (1998–2003). Authored over 300 books, chapters in edited volumes on substance abuse, addiction and treatment, and peer-reviewed academic journal articles on those subjects. Recent articles include “Buprenorphine maintenance versus placebo or methadone maintenance for opioid dependence”, “Young adult sequelae of adolescent cannabis use” and “The Pain and

Opioids IN Treatment study: characteristics of a cohort using opioids to manage chronic non-cancer pain”.

Recipient of academic and research support from the Department of Health of Australia; the New South Wales Government Department of Health; the Australian National Drug Law Enforcement Research Fund; the Alcohol Education and Rehabilitation Foundation; UNODC; the National Institute on Drug Abuse of the United States; the Australian Research Council; and the National Health and Medical Research Council of Australia.

Member of INCB (since 2015). Member of the Standing Committee on Estimates (2015–2016).

Luis Alberto Otárola Peñaranda

Born in 1967. National of Peru. Lawyer. Postgraduate degree in Public Policy and Public Management from the Pontifical Catholic University of Peru.

Executive Director of the National Commission for Development and Life without Drugs (2014–2016). President of the Inter-American Drug Abuse Control Commission of the Organization of American States (November 2015–September 2016). Minister of Defence (2012), Deputy Minister of the Interior (2011), Deputy Minister of Defence (2003), Officer of the Peruvian State before the Inter-American Court of Human Rights (2001), Professor of Constitutional Law and Human Rights.

Author or co-author of the following works: *Compendio sobre Tráfico Ilícito de Drogas y Desarrollo Alternativo* (2015); *La Constitución Explicada* (2011); *La Constitución de 1993: Estudio y Reforma a Quince Años de su Vigencia* (2009); *Modernización Democrática de las Fuerzas Armadas* (2002); *Parlamento y Ciudadanía* (2001); *La Constitución de 1993: Análisis Comparado* (1999).

Order of Merit for Distinguished Services at the level of Grand Cross (decoration awarded by the Constitutional President of the Republic). Also received the Order of Ayacucho (highest distinction awarded by the Army of Peru).

Presenter at the workshop entitled “Responding to the evolving drug challenge”, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), London (2015); presenter on alternative development at the Economic and Social Council, New York (2015); Head of the Peruvian delegation to the seventh meeting of the

Peruvian-Colombian Joint Committee on Drugs (2014); Head of the Peruvian delegation to the Twenty-fourth Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean (2014); speaker at the second Latin American Seminar on Democracy and Corruption, Montevideo (2014); Head of the Peruvian delegation to the eighth meeting of the Peruvian-Brazilian Joint Committee on Drugs (2014); speaker at the Latin American Seminar on Youth and Democratic Governance, Cartagena de Indias, Colombia (2012); speaker at the Latin American Seminar on Youth, Violence and Culture of Peace, Antigua, Guatemala (2009).

Member of INCB (since 2017). Member of the Standing Committee on Estimates (2017–2019). First Vice-President of the Board (2020).

Jagjit Pavadia

Born in 1954. National of India. Graduate in English Honours (1974), Dhaka University, LLB from Delhi University (1988), Master's Diploma in Public Administration, Indian Institute of Public Administration (1996). Completed dissertation "Forfeiture of property under the Narcotics Drugs and Psychotropic Substances Act, 1985" towards completion of Master's Diploma.

Held several senior positions in the Indian Revenue Service for 35 years in the Government of India, including Narcotics Commissioner of India, Central Bureau of Narcotics (2006–2012); Commissioner, Legal Affairs (2001–2005); Chief Vigilance Officer, Power Finance Corporation (1996–2001); Customs Training Adviser Maldives, deputed by the Commonwealth Secretariat (1994–1995); Deputy Director, Narcotics Control Bureau (1990–1994); and retired as Chief Commissioner, Customs, Central Excise and Service Tax, Nagpur, in 2014.

Recipient of Presidential Appreciation Certificate for Specially Distinguished Record of Service on the occasion of Republic Day (2005), published in the *Gazette of India Extraordinary*.

Member of the Indian delegation to the Commission on Narcotic Drugs, Vienna (2007–2012); introduced resolutions 51/15 (2008) and 53/12 (2010), adopted by the Commission on Narcotic Drugs, and organized a side event on the margins of the Commission's 2011 session, presenting issues involved in the illegal movement of opium poppy seeds to producing, importing and

exporting countries. As representative of the competent national authority, attended Project Prism and Project Cohesion task force meetings (2006–2012), and coordinated and organized the Project Prism and Project Cohesion meeting in New Delhi (2008). Participated in the Thirtieth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, held in Bangkok (2006), and organized the Thirty-fifth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, held in Agra, India (2011). Member of the INCB advisory expert group on the scheduling of substances (2006), and member of the advisory group finalizing the INCB *Guidelines for a Voluntary Code of Practice for the Chemical Industry* (2008). Rapporteur of the Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East at its forty-first session, held in Amman (2006); Chair of the Subcommittee at its forty-second session, held in Accra, India (2007); organized the meeting of the Paris Pact Initiative Expert Working Group on Precursors, held in New Delhi (2011), and participated in the International Drug Enforcement Conferences hosted by the Drug Enforcement Administration of the United States, held in Istanbul, Turkey (2008) and Cancún, Mexico (2011).

Member of INCB (since 2015). Second Vice-President and Chair (2015, 2017 and 2020), Vice-Chair (2018) and member (2019) of the Standing Committee on Estimates. Member (2016–2017 and 2020) and Chair (2019) of the Committee on Finance and Administration. First Vice-President of the Board (2016). President of the Board (2021).

Jallal Toufiq

Born in 1963. National of Morocco. Head of the National Centre for Drug Abuse Prevention and Research; Director of the Moroccan National Observatory on Drugs and Addictions; Director of the Ar-razi University Psychiatric Hospital and Professor of Psychiatry at the Rabat Faculty of Medicine.

Medical Doctor, Rabat Faculty of Medicine (1989); Diploma of Specialization in Psychiatry (1994); lecturer at the Rabat Faculty of Medicine (since 1995). Undertook specialized training in Paris at the Sainte-Anne Psychiatric Hospital and Marmottan Centre (1990–1991) and at Johns Hopkins University as a National Institute on Drug Abuse research fellow and Clinical Observer (1994–1995). Conducted research at the University of Pittsburgh (1995); gained clinical drug research certificates at the Vienna School of Clinical Research (2001 and 2002).

Currently holding positions in Morocco as Head of the Harm Reduction Programme, National Centre for Drug Abuse Prevention and Research; teaching and residency training coordinator, Ar-razi Hospital; Director of the National Diploma Programme on Treatment and Prevention of Drug Abuse, Rabat Faculty of Medicine; Director of the National Diploma Programme on Child Psychiatry, Rabat Faculty of Medicine, and member of the Ministry of Health Commission on Drug Abuse.

At the international level, Representative of the Mediterranean Network (MedNET) for Morocco (MedNET/Pompidou Group/Council of Europe); former permanent correspondent of the Pompidou Group for Morocco (Council of Europe) on drug abuse prevention and research and former member of the Reference Group to the United Nations on HIV and Injecting Drug Use. Founding member and steering committee member, Middle East and North Africa Harm Reduction Association (MENAHRRA); Director of Knowledge Hub Ar-razi for North Africa, MENAHRRA; member, Mentor International Scientific Advisory Network (drug abuse prevention in youth); former focal point/expert on prevention, United Nations Office on Drug Control and Crime Prevention (local network for North Africa); founding member, MedNET (advisory group on AIDS and drug abuse policies) of the Council of Europe, and member of the Reference Group to the United Nations on HIV and injecting drug use.

Held consultancy roles with the WHO Regional Office for the Eastern Mediterranean, UNODC and other international institutions, research fellowships and the National Institute on Drug Abuse of the United States. Published widely in the field of psychiatry, alcohol and drug abuse.

Member of INCB (since 2015). Member of the Standing Committee on Estimates (2015). Chair (2021) and member (2016) of the Committee on Finance and Administration. First Vice-President of the Board (2018).

Zukiswa Zingela

Born in 1969. National of South Africa. Associate Professor and Executive Dean, Faculty of Health Sciences, Nelson Mandela University (since 2021).

Master of Medicine, Psychiatry (University of Pretoria); Fellow of the College of Psychiatrists of South Africa.

Previously held positions as Head, Department of Psychiatry and Behavioural Sciences, Walter Sisulu University and Nelson Mandela Academic Hospital,

Eastern Cape Department of Health (2015–2021); Leader of the Dean's Advisory Committee in charge of the Faculty of Health Sciences, Walter Sisulu University (2016–2017); Head of Clinical Unit, Dora Nginza Hospital, Eastern Cape Department of Health, and Senior Lecturer at Walter Sisulu University (2011–2015); Specialist Psychiatrist in private practice (2003–2008); Consultant Psychiatrist, Blackpool North Community Mental Health Team, National Health Service, United Kingdom of Great Britain and Northern Ireland (2003–2008). Duties in the above-mentioned posts included training of undergraduate medical students and postgraduate students in psychiatry with an emphasis on addiction psychiatry and substance use, providing substitution treatment for patients with opioid use-related disorders, neuropsychiatry, consultation liaison psychiatry, child and adolescent psychiatry, old age psychiatry, psychopharmacology and public mental health. Honours: Chairperson of the Board of the Ernest Malgas Youth Treatment Centre (Rehabilitation for Substance Abuse) (2016–2018); Chairperson of the South African Society of Psychiatrists, Eastern Cape Subgroup (2016–2018); Chairperson of Walter Sisulu University Registrar Training and Implementation Committee (2015–2018); Chairperson of Task Team appointed by the Head of Department of the Eastern Cape Department of Health to investigate allegations of patient abuse in Tower Psychiatric Hospital and Rehabilitation Centre, with the investigative report delivered to Minister of Health in 2018.

Author and co-author of numerous publications including “First-episode psychosis and substance use” (authors: Thungana and Zingela (supervisor) and van Wyk (co-supervisor)), *South African Journal of Psychiatry*, vol. 24 (2018); “Personality and personality disorder” (co-authors: Nagdee, Grobler and Zingela), chapter in *Oxford Textbook of Psychiatry for Southern Africa* (J. Burns and L. Roos, eds.), 2nd ed., 2016).

Member of steering committee for establishment of rehabilitation for substance abuse (Ernest Malgas Youth Treatment Centre) (2012–2015); consultant, consultation committee on the implementation of the Prevention of and Treatment of Substance Abuse Act. Advised, on a voluntary basis, the Ernest Malgas Youth Treatment Centre on implementation of substance abuse act and support for stating the rehabilitation programme (2015); established a mental health outreach programme for the Ernest Malgas Youth Treatment Centre offering assessment and interventions (since 2016); facilitated support from the Department of Health to the local drug action committee through the allocation of a multidisciplinary staff member (clinical psychologist) to serve on the committee (2014–2016).

Fifteenth Biannual National Congress of the South African Society of Psychiatrists, 2018 (presented paper on first episode psychosis and substance abuse (authors: Thungana, Zingela and van Wyk)); substance abuse assessment and intervention: provincial training organized by Walter Sisulu University and Eastern Cape Department of Health, 2017; Seventh African Population Conference, Johannesburg, South Africa, 2015 (presented paper on school-based substance abuse awareness programmes, (authors: Zingela, Bronkhorst and Ngwetsheni); and paper on the integration of the South African Master

Drug Plan Policy and Mental Health Policy Framework and Strategic Plan (author: Zingela); National Substance Abuse Colloquium, 2015 (chaired and presented paper on aftercare, outpatient and maintenance services for substance abuse); Substance Abuse Colloquium, Port Elizabeth, South Africa, in preparation for the opening of the Ernest Malgas Youth Treatment Centre, 2015 (organizer).

Member of INCB (since 2020). Vice-Chair (2021) and member (2020) of the Standing Committee on Estimates.

About the International Narcotics Control Board

INCB is an independent and quasi-judicial control organ, established by treaty, for monitoring the implementation of the international drug control treaties. It had predecessors under the former drug control treaties as far back as the time of the League of Nations.

Composition

INCB consists of 13 members who are elected by the Economic and Social Council and who serve in their personal capacity, not as government representatives.

Three members with medical, pharmacological or pharmaceutical experience are elected from a list of persons nominated by WHO and 10 members are elected from a list of persons nominated by Governments. Members of the Board are persons who, by their competence, impartiality and disinterestedness, command general confidence. The Council, in consultation with INCB, makes all arrangements necessary to ensure the full technical independence of the Board in carrying out its functions. INCB has a secretariat that assists it in the exercise of its treaty-related functions. The INCB secretariat is an administrative entity of UNODC, but it reports solely to the Board on matters of substance. INCB closely collaborates with UNODC in the framework of arrangements approved by the Council in its resolution 1991/48. INCB also cooperates with other international bodies concerned with drug control, including not only the Council and its Commission on Narcotic Drugs, but also the relevant specialized agencies of the United Nations, in particular WHO. It also cooperates with bodies outside the United Nations system, especially INTERPOL and WCO.

Functions

The functions of INCB are laid down in the following treaties: Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol; Convention on Psychotropic Substances of 1971; and United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988. Broadly speaking, INCB deals with the following:

(a) As regards the licit manufacture of, trade in and use of drugs, INCB endeavours, in cooperation with Governments, to ensure that adequate supplies of drugs are available for medical and scientific uses and that the

diversion of drugs from licit sources to illicit channels does not occur. INCB also monitors Governments' control over chemicals used in the illicit manufacture of drugs and assists them in preventing the diversion of those chemicals into the illicit traffic;

(b) As regards the illicit manufacture of, trafficking in and use of drugs, INCB identifies weaknesses in national and international control systems and contributes to correcting such situations. INCB is also responsible for assessing chemicals used in the illicit manufacture of drugs, in order to determine whether they should be placed under international control.

In the discharge of its responsibilities, INCB:

(a) Administers a system of estimates for narcotic drugs and a voluntary assessment system for psychotropic substances and monitors licit activities involving drugs through a statistical returns system, with a view to assisting Governments in achieving, inter alia, a balance between supply and demand;

(b) Monitors and promotes measures taken by Governments to prevent the diversion of substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances and assesses such substances to determine whether there is a need for changes in the scope of control of Tables I and II of the 1988 Convention;

(c) Analyses information provided by Governments, United Nations bodies, specialized agencies or other competent international organizations, with a view to ensuring that the provisions of the international drug control treaties are adequately carried out by Governments, and recommends remedial measures;

(d) Maintains a permanent dialogue with Governments to assist them in complying with their obligations under the international drug control treaties and, to that end, recommends, where appropriate, technical or financial assistance to be provided.

INCB is called upon to ask for explanations in the event of apparent violations of the treaties, to propose appropriate remedial measures to Governments that are not fully applying the provisions of the treaties or are encountering difficulties in applying them and, where necessary, to assist Governments in overcoming such difficulties. If, however, INCB notes that the measures necessary to remedy a serious situation have not been taken, it may call the matter to the attention of the parties concerned, the Commission on Narcotic Drugs and the Economic and Social Council. As a last resort, the treaties empower

INCB to recommend to parties that they stop importing drugs from a defaulting country, exporting drugs to it or both. In all cases, INCB acts in close cooperation with Governments.

INCB assists national administrations in meeting their obligations under the conventions. To that end, it proposes and participates in regional training seminars and programmes for drug control administrators.

Reports

The international drug control treaties require INCB to prepare an annual report on its work. The annual report contains an analysis of the drug control situation worldwide so that Governments are kept aware of existing and potential situations that may endanger the objectives of the international drug control treaties. INCB draws the attention of Governments to gaps and weaknesses in national control and in treaty compliance; it also makes suggestions and recommendations for improvements at both the national and international levels. The annual report is based on information provided by Governments to INCB, United Nations entities and other organizations. It also uses information provided through other international organizations, such as INTERPOL and WCO, as well as regional organizations.

The annual report of INCB is supplemented by detailed technical reports. They contain data on the licit movement of narcotic drugs and psychotropic substances required for medical and scientific purposes, together with an analysis of those data by INCB. Those data are required for the proper functioning of the system of control over the licit movement of narcotic drugs and psychotropic substances, including preventing their diversion to illicit channels. Moreover, under the provisions of article 12 of the 1988 Convention, INCB reports annually to the Commission on Narcotic Drugs on the implementation of that article. That report, which gives an account of the results of the monitoring of precursors and of the chemicals frequently used in the illicit manufacture of narcotic drugs and psychotropic substances, is also published as a supplement to the annual report.

Since 1992, the first chapter of the annual report has been devoted to a specific drug control issue on which INCB presents its conclusions and recommendations in order to contribute to policy-related discussions and decisions in national, regional and international drug control. The following topics were covered in past annual reports:

- 1992: Legalization of the non-medical use of drugs
- 1993: The importance of demand reduction
- 1994: Evaluation of the effectiveness of the international drug control treaties
- 1995: Giving more priority to combating money-laundering
- 1996: Drug abuse and the criminal justice system
- 1997: Preventing drug abuse in an environment of illicit drug promotion
- 1998: International control of drugs: past, present and future
- 1999: Freedom from pain and suffering
- 2000: Overconsumption of internationally controlled drugs
- 2001: Globalization and new technologies: challenges to drug law enforcement in the twenty-first century
- 2002: Illicit drugs and economic development
- 2003: Drugs, crime and violence: the micro-level impact
- 2004: Integration of supply and demand reduction strategies: moving beyond a balanced approach
- 2005: Alternative development and legitimate livelihoods
- 2006: Internationally controlled drugs and the unregulated market
- 2007: The principle of proportionality and drug-related offences
- 2008: The international drug control conventions: history, achievements and challenges
- 2009: Primary prevention of drug abuse
- 2010: Drugs and corruption
- 2011: Social cohesion, social disorganization and illegal drugs
- 2012: Shared responsibility in international drug control
- 2013: Economic consequences of drug abuse
- 2014: Implementation of a comprehensive, integrated and balanced approach to addressing the world drug problem
- 2015: The health and welfare of mankind: challenges and opportunities for the international control of drugs
- 2016: Women and drugs
- 2017: Treatment, rehabilitation and social reintegration for drug use disorders: essential components of drug demand reduction
- 2018: Cannabis and cannabinoids for medical, scientific and “recreational” use: risks and benefits

2019: Improving substance use prevention and treatment services for young people

2020: A hidden epidemic: the use of drugs among older persons

Chapter I of the report of the Board for 2021 is entitled “Illicit financial flows related to drug trafficking and their impact on development and security”.

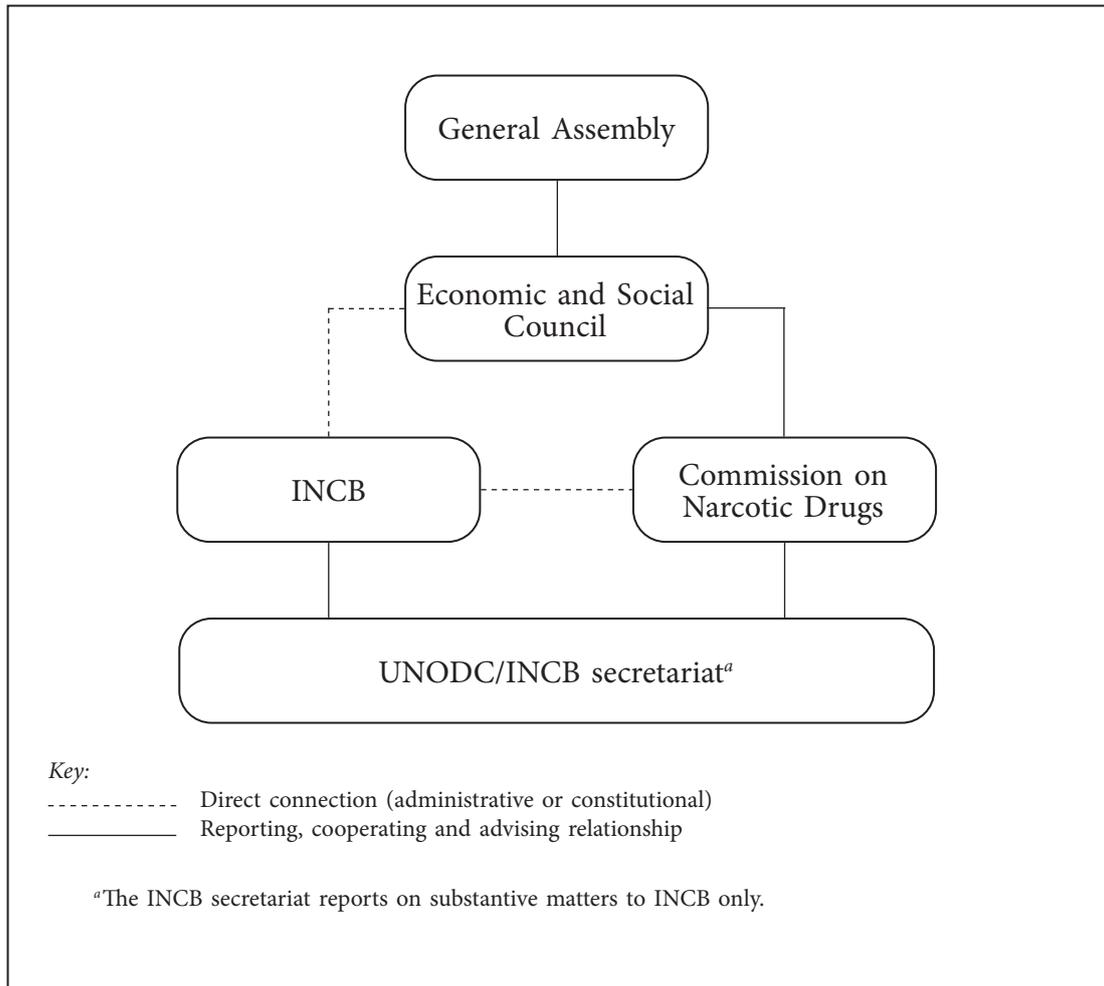
Chapter II presents an analysis of the operation of the international drug control system based primarily on information that Governments are required to submit directly to INCB in accordance with the international

drug control treaties. Its focus is on the worldwide control of all licit activities related to narcotic drugs and psychotropic substances, as well as chemicals used in the illicit manufacture of such drugs.

Chapter III presents global issues and some of the major developments in drug abuse and trafficking and measures by Governments to implement the international drug control treaties by addressing those problems.

Chapter IV presents the main recommendations addressed by INCB to Governments, the United Nations and other relevant international and national organizations.

United Nations system and drug control organs and their secretariat





INTERNATIONAL NARCOTICS CONTROL BOARD

The International Narcotics Control Board (INCB) is the independent monitoring body for the implementation of United Nations international drug control conventions. It was established in 1968 in accordance with the Single Convention on Narcotic Drugs, 1961. It had predecessors under the former drug control treaties as far back as the time of the League of Nations.

Based on its activities, INCB publishes an annual report that is submitted to the United Nations Economic and Social Council through the Commission on Narcotic Drugs. The report provides a comprehensive survey of the drug control situation in various parts of the world. As an impartial body, INCB tries to identify and predict dangerous trends and suggests necessary measures to be taken.

