

Forty-fifth session of the Commission on Narcotic Drugs

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Statement by Professor Hamid Ghodse, President of the International Narcotics Control Board

Excellencies, Ladies and Gentlemen,

At the outset, I would like to congratulate the Chairperson of the Commission, Ms. Sue Kerr of Australia and extend to her and all other members of the Bureau my best wishes for constructive and fruitful deliberations in this session of the Commission on Narcotic Drugs. I am confident that under her leadership the close relationship between the Commission and the International Narcotics Control Board will be further strengthened by personal meetings to discuss matters of mutual importance.

Madam Chairperson,

The annual report of the Board for 2001, which was officially released two weeks ago and received very widespread media reaction, highlights in its first chapter the effects of new technologies on drug trafficking. Just as electricity and the telephone changed our lives in the 20th century, the Internet is revolutionizing our lives today. Globalization and new communication technologies have brought innumerable economic, educational and cultural benefits to our society. Along with the benefits, however, comes the danger that the advantages of these innovations are being undermined by individuals and criminal groups for illicit gain. The Board therefore reviewed the challenges these developments present to drug law enforcement.

Cyber criminals use such new technologies for example to agree illicit drug sales and purchases online, to keep in touch with each other by using Internet chat rooms protected by firewalls to make them impenetrable, or to communicate with each other by using mobile telephones with prepaid cards that can be bought anonymously.

New technologies have also made crimes easier to commit, a trend that the Board calls the "amateurization" of drug-related crime in its report. Prospective drug chemists and drug traffickers no longer need special contacts or resources, since they can find much of the necessary information in the Internet search engines. The Internet also puts them in touch with like-minded individuals in different parts of the world and permits them to locate supply sources of which the user would otherwise have been ignorant.

In this environment, methods of traditional law enforcement, with clear geographical demarcation lines, are often insufficient. Transnational drug-related crime, with cross-

jurisdictional operations and low-profile network structure, challenges the approach of conventional drug law enforcement. In addition, the legal framework for prosecuting these crimes often does not exist. The perpetrator of the infamous ILOVEYOU virus, for example, which infected computers around the world and caused damage estimated at more than US\$ 10 billion, could not be held responsible for the damage inflicted, nor could he be extradited to face prosecution in the United States.

At national level, the Board recommends that Governments should establish specialized inter-agency high-tech drug units. Such dedicated anti cyber-crime units should be provided with critical infrastructure protection, to protect their information and intelligence databases from "cyber attack". At international level, measures should be harmonized as far as possible to ensure that offences, sanctions and standards of proof are similar in countries throughout the world, to prevent the growth of data havens. The Council of Europe's Convention on Cybercrime represents the most advanced international collaboration to date in the area of high-tech crime. Consideration might also be given to the development of a United Nations Convention against cyber crime. Such a convention would have to balance concerns of security and protection from crime with concerns for civil liberties, dignity and privacy.

Madam Chairperson,

The annual report also reviews the operation of the international drug control system and in particular, the actions that Governments have taken to give effect to the international drug control treaties.

The situation in Afghanistan has been of concern to the Board for some years because of the country's pivotal role in illicit opium poppy cultivation. Indeed, for many years, Afghanistan has been the largest producer of opium poppy in the world and in May 2000, the Board invoked article 14 of the 1961 Convention. This happens when the aims of that Convention are being endangered, in this case, by the failure of Afghanistan to pursue effective action against such cultivation. In accordance with article 14, INCB held consultations with the two authorities controlling Afghanistan at the time: the Government of the Islamic State of Afghanistan (Northern Alliance) on the one hand, the Taliban on the other.

Three months after the invocation of article 14, in July 2000 the Taliban announced a total ban on opium poppy cultivation which led to a sharp decline in poppy cultivation in the 2000-2001 growing season in most areas controlled by the Taliban. In the current growing season, however, following signs that opium poppy cultivation has resumed, the Afghan Interim Authority has reacted swiftly, by imposing a complete ban not only on the cultivation of opium poppy but also on the manufacture and trafficking of opiates. The Board will continue its dialogue with the Afghan authorities to ensure that the ban is enforced and a delegation of the Board is expected to visit Afghanistan in spring. In addition, I have held talks on the issue with the Security Council, the Secretary-General, his Special Representative for Afghanistan and with other United Nations entities coordinating assistance for Afghanistan.

Civil war, violence, instability and corruption created a situation where drug trafficking and terrorism flourished with devastating consequences for Afghanistan and for the rest of the world. The international community must make every effort to ensure that such a situation does not repeat itself, in Afghanistan or indeed, elsewhere in the world.

Madam Chairperson,

In its report, the Board invites all Governments and relevant international bodies to examine the issue of cannabis control within the framework of the 1961 Convention and I would like to take this opportunity to remind parties to the Convention of their obligation to notify the Secretary-General, if they have information which, in their opinion, may require an amendment to any of the schedules of the Convention. For example, if there is clear evidence that a substance should no longer be under international control or should be in a different schedule, this evidence should be made public and disseminated to all parties. In the light of the changes that are occurring in relation to cannabis control in some countries, it would seem to be an appropriate time for the Commission to consider this issue in some detail to ensure the consistent application of the provisions of the 1961 Convention across the globe.

Four years ago, in the General Assembly Special Session on the World Drug Problem, Governments expressed their commitment to the international drug control treaties and their full implementation by all Member States. The credibility of the Conventions and of the Commission on Narcotic Drugs is dependent on this commitment in practice, as well as in principle being maintained.

In its third chapter, the annual report of the Board presents its views of the drug control situation in different regions of the world. Various sources are consulted in the drafting process. These sources include Governments, many of which provide information directly to the Board. The Board is also in constant contact with the various sections of UNDCP and its regional and country offices. Furthermore, the Board examines reports from international organizations with a drug control mandate such as the World Health Organization, Interpol and the World Customs Organization. Finally, the Board gathers important first-hand information during its missions. When all the information has been collected and analysed, the Board expresses its views as necessary. It is not possible to include within the report every important occurrence such as single large drug seizures, the apprehension of key drug traffickers, successes in the eradication of crops from which drugs are extracted or action taken by Governments concerning legislation or demand reduction. The Board appreciates any reaction Governments may have on its assessments and views and, within its mandates, will continue its dialogue with all Governments world-wide.

Thank you for your attention.

Madam Chairperson,

I would now like to turn to the Board's report on the implementation of article 12 of the 1988 Convention and inform the Commission of our major findings and of the latest developments relating to precursor chemical control.

During 2001, the Board convened an informal round-table consultation in Beijing to examine diversions of the precursor chemicals used, in particular, in the illicit manufacture of MDMA or, as it is more commonly known, ecstasy. That consultation was attended by the competent authorities of ten countries directly concerned with cases of diversion and smuggling of those precursors.

The largest seizures of one of the most important chemicals (3,4-MDP-2-P) used in the manufacture of MDMA (Ecstasy) have been reported in the European Union, in particular, by Belgium and the Netherlands. The authorities of China, the country from which the seized chemical has been smuggled, have taken action to identify and close down factories which illegally manufactured the chemical. The Board hopes that all Governments will allow the timely exchange of necessary information in order to prevent future illegal manufacture or diversions from sources in China.

The Board recognizes the urgent need at the international level to examine all the major precursors for amphetamine, methamphetamine and MDMA. For that purpose we have decided to convene an international meeting on those substances in June of this year. The Government of the United States has kindly agreed to host the meeting and the European Commission is also providing financial support. The Board trusts that this international meeting will assist in the development of practical actions by Governments, and launch major international programmes, to prevent diversions of these precursors for use in the illicit manufacture of ATS. To assist with the preparations for the international meeting, during February 2002 we convened an expert meeting on ATS precursors hosted by the Government of India.

The Board continues to assist Governments with Operations Purple and Topaz, the international operations focussing on potassium permanganate, and acetic anhydride, respectively, by serving as the international focal point for the exchange of information.

Operation Topaz has now started its second year and the Board is pleased to note that some successes are already being achieved in preventing the diversion of acetic anhydride for the manufacture of heroin. Under the operation, it has now been possible, thanks to the efforts of participating Governments, to identify the complex licit trade routes of the substance. Some Governments have been able to track back intercepted consignments, to identify their origin and it is worth mentioning that a number of investigations into such seizures have lead to the identification and arrest of the persons responsible for diverting the substance. The exchange of this type of information is essential if trafficking networks are to be dismantled.

Operation Purple, now in its third year, continues to be successful in preventing diversions of potassium permanganate for use in the illicit manufacture of cocaine. During 2001, the operation led to the identification of new modus operandi traffickers who were attempting to divert the chemical from licit sources into the illicit market. Through Operation Purple, it was possible for Governments to prevent the diversion of 1,100 tonnes of potassium permanganate. If diverted, that amount of potassium permanganate would be sufficient to process approximately 5,500 tonnes of cocaine. A cause for concern to the Board remains the fact that, for the second year in a row, shipments of potassium permanganate to countries not participating in the Operation Purple have increased, giving an indication that traffickers may be targeting these countries in their diversion attempts. For that reason, we believe that the procedures, and mechanisms, introduced under Operation Purple need to be institutionalized by all Governments if diversions of this substance are to be prevented.

Madam Chairperson,

In acting as the focal point for the exchange of information for these two operations, and in its preparations for the forthcoming international meeting on ATS precursors, the Board has noted that certain investigative techniques available to law enforcement authorities, such as controlled deliveries, and intelligence driven investigations, are not being fully utilized. Given the increasing sophisticated nature of the attempts being made by traffickers, these techniques need to be further utilized, in line with modern technology, to effectively identify and dismantle trafficking networks.

The Board has also noted that, in addition to international trade, the effective monitoring of domestic manufacture and/or distribution of precursor chemicals is a further issue that requires more attention from Governments. Especially as regards ATS precursors, we have found that a number of these substances have very limited licit uses and the effective monitoring of domestic manufacture and distribution is therefore feasible and should drastically lower the amount of these substances that traffickers are able to obtain for use in illicit manufacture of ATS. The Board intends to have this issue thoroughly examined. For that purpose, we urge Governments to determine for which of these substances a licit requirement exists in their country, for what purpose those substances are used, and how much is required for those licit requirements.

Finally, Madam Chairperson, the Board continues to note with satisfaction the commendable efforts being made by many Governments throughout the world to prevent the diversion of controlled chemicals for use in the illicit manufacture of drugs. Much progress has been made, especially through the focuses on specific chemicals, as can be seen through Operations Purple and Topaz. By further developing such practical mechanisms and procedures that directly address the activities of traffickers, chemical control will continue to play an essential role in supply reduction initiatives around the world.

Thank you for your attention.