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Statement by Dr. P. Emafo, President of the International Narcotics Control Board

Excellencies, Ladies and Gentlemen,

At the outset, may I, on behalf of members of the Board and myself, congratulate you Ambassador Moleah on your election as the Chairman of the Commission. From our interaction with your Excellency at the February 2004 meeting of the International Narcotics Control Board and your address to the Board, I am confident that your skilful leadership will be brought to bear on the success of this session of the Commission on Narcotic Drugs. I would also like to extend my best wishes to the other members of the Bureau and the distinguished members of the Commission for your constructive and fruitful deliberations in this session.

Mr. Chairman,

The annual report of the Board for 2003 reviews, in its first chapter, the inter relationship between drug abuse, crime and violence at the community level. Our review shows that illicit drugs, crime and violence affect communities very adversely as their citizens have to live in the environs where illicit drugs are readily available, and where crime and violence or the threat of crime and violence, are ever present.

When different drug trafficking groups compete for a bigger share of the lucrative illicit drug market, violent confrontations in and around public places occur in such communities and in the absence of appropriate intervention, there is deterioration of law and order. As a consequence, drug-related crime and violence hold sway.

Drugs, crime and violence are shown to particularly affect young people who often play a key role in manifestations of drug-related crime and violence at the local level both as perpetrators and as victims. It therefore becomes imperative that policies and intervention strategies to address the problem of drug abuse must include the needs of young people. The key to successfully organizing the community response is the timely recognition of the drug problem in the community through emerging youth gangs involved in violent crime and drug trafficking. Community-based initiatives should aim at suppressing the activities of such gangs.

In addition, drug addiction should be seen as a health problem requiring the promotion of public health in communities. For example, the promotion of public health was used to

combat violence in Cali, Colombia, resulting in a reduction of the homicide rate during the 1990s.

As with all complex problems, there is no panacea on how the issue of drugs, crime and violence should be addressed. The Board stresses, however, that interventions aimed at deterring and combating violent drug-related crime should include strategies aimed at improving the socio-economic development of the community by, for example, providing an environment conducive for socially marginalized groups that are at risk. Such strategies should also include urban regeneration measures to create environments for reducing the dealing and trafficking in drugs at the micro level. The establishment of multi-agency partnerships involving local governments, criminal justice system, the community and youth organizations is also a very important element in any strategy. Another activity that has proved to be successful in addressing the drug problem include outreach work which targets people who are abusing drugs or those at risk of doing so, such that they overcome their drug abuse problems and criminal behaviour. Similarly community based restorative justice interventions where drug treatment courts give lower level violent offenders the opportunity to overcome their drug habits through means other than incarceration have been found successful in some countries.

In devising such strategies, communities must focus on the need for short and long-term intervention programmes that can secure and generate appropriate resources for programme implementation.

Mr. Chairman,

The Board's report also highlights the increase in trafficking of prescription medicines in cyberspace. More and more pharmaceutical preparations containing internationally controlled substances, mainly psychotropic substances in Schedule IV of the 1971 Convention, are being sold illegally through Internet pharmacies around the world. Significant quantities of internationally controlled drugs sold through internet pharmacies have been seized in several countries around the world.

While it is difficult to control these pharmacies because of the ease with which they could relocate to jurisdictions with inadequate legislative and law enforcement capacities, we should continue to make it difficult for such pharmacies to operate in flagrant disregard of international drug laws. National authorities should therefore continue to monitor Internet activities in their countries and react immediately whenever illegal activities are detected. Governments should also consider prohibiting imports and exports of narcotic drugs and psychotropic substances through the e-mail system and so prevent illegal activities by Internet pharmacies. As Internet pharmacies need to obtain the substances they sell from legal suppliers, the Board calls on national authorities to be on the alert for large orders for controlled substances placed by companies that the wholesalers are not conversant with.

Mr. Chairman,

One of the central principles of the 1961 Single Convention on Narcotic drugs is to ensure the availability of narcotic drugs for medical and scientific purposes while preventing their illicit use.

Therefore the global supply of licit opiates must be carefully balanced against the legitimate demand for opiates for medical and scientific purposes, so as not to lead to the diversion of excess supply into illicit use. The 1961 Convention requires States that intend to initiate the production of licit opiates or to increase their existing production to take account of the prevailing world need so as to avoid overproduction of licit opiates in the world.

Since the 1961 Convention entered into force, more than 20 resolutions have been adopted by the General Assembly and the Economic and Social Council on this issue, highlighting, in particular, the importance of preventing a substantial overproduction of opiates through proliferation of producers, which could undermine our collective responsibility for international drug control. There is international consensus on the fact that opium poppy cultivation must be limited and regulated in order to maintain a lasting balance between licit supply and demand of opiates.

Pursuant to its mandates under the 1961 Convention and the various Assembly and Council resolutions, the Board has been urging Governments to adjust global production of opiate raw materials to a level corresponding to actual licit needs and to avoid unforeseen imbalances between licit supply of and demand for opiates. For the past decade, the Board has also been arranging informal meetings with the main States that produce and import opiate raw materials.

Nevertheless, the absence of a clear provision preventing the cultivation of the opium poppy for commercial purposes by non-traditional producing countries in the 1961 Convention has placed some Governments in a difficult situation where they cannot restrain or prohibit such cultivation without opening themselves to legal challenges. The Commission may therefore wish to consider all the facts. Opium poppy can be cultivated in many parts of the world and if such cultivation is allowed to proliferate I can foresee a real global drug problem looming in the very near future.

Limiting the cultivation of opium poppy for the production of opiates to the amount needed for medical purposes is a health issue as proliferation of sources of production of opiate raw materials may increase diversion to the illicit market for subsequent abuse. Public health is an area that market forces ignore and this is not right. Governments should be aware that short-term economic advantages from opium poppy cultivation in their country may be more than offset by consequences of drug abuse and the illicit traffic resulting from proliferation of licit opium poppy cultivation world-wide, and the diversion of their products into illicit traffic.

Mr. Chairman,

The report of the Board for 1993, which was presented to this Commission ten years ago, acknowledged the importance of harm reduction in a tertiary prevention strategy for demand reduction purposes. Already, at that time, the Board concluded in its annual report that measures to reduce the harm associated with drug abuse could be effective under certain circumstances. Of course not all of the so-called harm reduction measures are acceptable practices and so the Board is unable to support the wrong notion that harm reduction should be the only and overriding principle of national drug control policy.

In order to clarify its position on certain harm reduction measures, the second chapter of the annual report contains clear pronouncements by the Board on a range of harm reduction measures that are compatible with the international drug control conventions. In that chapter, the Board, for example, states that the implementation of maintenance treatment does not constitute any breach of treaty provisions, whatever substance may be used for such treatment, provided such treatment conforms with established sound national medical practice.

In this connection, I would also like to recall article 14 of the 1988 Convention which requires parties to adopt appropriate measures aimed at eliminating or reducing illicit demand for narcotic drugs and psychotropic substances, with a view to reducing human suffering. As is shown by this and other provisions, the ultimate aim of the international drug control treaties is to reduce harm and human suffering associated with illicit drug use and to reduce illicit demand for drugs. The concept of harm reduction and the international drug control treaties are therefore complementary, when harm reduction practices do not undermine the international drug treaties.

While harm reduction measures advocated by some lobby groups may reduce the damage caused by drug abuse, they do not address the impact of the demand for illicit drugs. The Special Session of the General Assembly on the world drug problem in 1998, however, recognized demand reduction as an "indispensable pillar in the global approach to countering the world drug problem" and Governments committed themselves at that session to achieve significant and measurable results in the field of demand reduction by the year 2008. So far the Board has not been provided with sufficient evidence in that regard. While some Governments report a decline in the abuse of some substances, for example, heroin or cocaine, overall drug abuse appears to go up rather than decrease. However, the Board notes the recent publication of epidemiological data in the United States, which shows that abuse of illicit drugs among young people in that country decreased by eleven percent between 2001 and 2003. The Board hopes that such a decrease will be sustained and that other Governments will be able to follow soon in reporting decreases in drug abuse in their jurisdictions.

Mr. Chairman,

The third chapter of the annual report of the Board reviews the drug control situation in different regions of the world. The report is based on various sources, including Government reports, which many Governments provide directly to the Board. The Board is also in constant contact with the various sections of the United Nations Office on

Drugs and Crime 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 have been collected, collated and analysed, the Board expresses its views as necessary. The Board's report is based on facts and evidence. If there are no new facts to support an assumption, the Board will not include it in its report.

Let me also comment on the extent of the report. The report of the Board is only some 90 pages long which is obviously far too short to reflect every important development of drug control in the 210 countries and territories that the work of the Board covers. This is why it is impossible to give a full account of every event 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.

I would also like to reiterate that the cut-off date for all information included in the annual reports of the Board is 1 November of each year to ensure that the Board discusses and approves its report for its timely translation into all official languages of the United Nations. Therefore, in order to ensure that information submitted by Governments can be used by the Board, it has to reach our Vienna secretariat before 1 November of the year to which the report refers. Therefore, any information received after that date cannot be considered for inclusion in the annual report of the Board. Governments should bear this in mind and submit very important information as well as submit the replies to inquiries by the Board well in advance of the cut-off date.

Just as the Board's report cannot reflect very recent developments, it will also be silent if there are no new developments on a particular issue.

The Board appreciates and welcomes reactions of Governments on its assessments and views even if these reactions are not always complimentary. It is through such free exchanges of views and comments that the Board can serve you better.

Mr. Chairman, I call on Governments and the distinguished members of the Commission to help the Board to serve the international community better .

Mr. Chairman,

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.

In response to the urgent need to develop and finetune practical actions to be taken by Governments to prevent diversions of precursors for use in the illicit manufacture of amphetamine-type stimulants, specific operations were started in 2003 under Project Prism. Such operations include the back-tracking of investigations into seizures of five

of the precursor chemicals most commonly used in illicit ATS manufacture as well as tableting machines. The project is directed by a Task Force, made up of representatives of China, the Netherlands, South Africa and the United States of America. The representatives of each region in the task force serves as the focal point for project related activities in their respective regions. Each regional focal point should, in conjunction with the task force, initiate specific activities in their respective regions to address the major issues encountered. Governments are urged to offer their full support to these important initiatives. The European Community, Interpol, UNODC and the World Customs Organization, as well as the Board's secretariat also participate fully in the project activities, at the regional and national levels.

In May 2003, the Government of Thailand hosted a regional meeting which reviewed and fine tuned the existing mechanisms and procedures for Project Prism. The Governments of Cambodia, Indonesia, Lao People's Democratic Republic and Philippines were also invited to attend the meeting. The Board believes that such a regional approach is essential for Project Prism to be successful. Obstacles encountered under the initial activities were identified and remedial actions agreed to.

In particular, it is noted that all the diversions of ephedrine and pseudoephedrine reported in 2003 prior to the meeting in Thailand involved pharmaceutical preparations containing those substances. While the diversion of such preparations, from national or regional trade into illicit methamphetamine manufacture, has been well documented in North America, such preparations are now diverted from other regions to North America. However, Governments concerned have successfully launched backtracking investigations to identify the sources of the seized tablets, so as to prevent further diversions.

The Board intends to continue to closely follow all developments relating to the various activities undertaken. Also, the Board intends to invite key countries to future regional meetings. Furthermore, with regard to pharmaceutical preparations, the Board will continue to monitor the voluntary mechanisms Governments agreed to under Project Prism, to establish whether they have been sufficient to prevent such diversions in the future.

The initial positive results from Project Prism give the Board reason to believe that, with the support of all Governments, the individual operations launched, will contribute significantly in preventing illicit ATS manufacture. Much work still remains to be done and it is our hope that the experts participating in the thematic debate on ATS will, as part of their discussions, examine Project Prism closely and offer comments on the way forward in respect of this international initiative.

Mr. Chairman,

During 2003, in addition to Project Prism, the Board continued to assist Governments with Operations Purple and Topaz. The Board, through its secretariat, served as the

international focal point for the exchange of information on international trade in potassium permanganate and acetic anhydride.

I would like to commend the authorities of China, Belgium, the Netherlands and the United States for their immense contributions to the success of Operations Purple and Topaz . As you are probably aware China, Belgium, the Netherlands and the United States are the major manufacturing, exporting and trading countries of those substances. During 2003, the authorities of Mexico became also major players in these operations and I also commend their efforts in these initiatives.

We are pleased to inform you that during 2003, Afghanistan, Kazakhstan, Kyrgyzstan and Tajikistan joined the Operation Topaz. As Uzbekistan has been participating in the operation since its inception, all Governments in this important region, with the exception of Turkmenistan, are now members. Given the history of smuggling of acetic anhydride through the region, including through Turkmenistan, the Board urges the Government of Turkmenistan to join the operation as soon as possible and so prevent Turkmenistan from becoming the weak link in the efforts made to prevent acetic anhydride from being smuggled into Afghanistan.

Elsewhere, Operation Topaz, has been successful and in particular the Government of Turkey has successfully intercepted smuggled consignments of acetic anhydride and carried out controlled deliveries. As I indicated last year, the international tracking programme shows that acetic anhydride is not diverted from international trade but rather from domestic distribution channels and then smuggled into areas where illicit heroin manufacture takes place. The initiation of law enforcement investigations to track back intercepted consignments to identify the original source of the seized acetic anhydride is therefore essential. We are therefore particularly pleased to note that the authorities of Serbia and Montenegro, a country through which traffickers were smuggling acetic anhydride, have now joined the operation and are working closely with their colleagues in neighbouring countries, and with the Board, to identify and dismantle the networks that operate in and through the region.

Operation Purple, the first of the three operations initiated, continues to serve as a successful instrument for preventing diversions of potassium permanganate into international trade for use in the clandestine manufacture of cocaine. Before operation Purple started, traffickers were able to divert large amounts of the substance directly into the Andean region. But, through the successful application of the pre-export notification system and end-use verification, it has been possible to prevent these diversions. It is however, observed that traffickers are now targeting other regions in their efforts at potassium permanganate diversion. First during 2002, countries in South East Asia were targeted , and then during 2003, countries in West Asia. The Board suspects that consignments of potassium permanganate enter these regions and are subsequently re-packed for smuggling into the Andean region.

The diversity of the routes identified and the speed with which the traffickers can change these routes highlight the urgent need for intelligence to be developed from both seizures

and stopped shipments so that those involved in the diversions or attempted diversions can be identified and their networks dismantled. The Board trusts that the panel of experts on the thematic debate dealing with precursor control will take these observations into consideration during their discussions and that the Governments concerned, including the co chairs of the operation, will take further necessary steps during 2004 to ensure that such investigations are initiated.

Mr. Chairman,

The field of control of precursor chemicals and psychotropic substances is a dynamic one. During 2003, the Board observed new developments in the illicit manufacture of psychotropic substances. Ukrainian authorities were able to identify and dismantle illicit fentanyl laboratories. Illicit LSD manufacture re-emerged in Europe. Furthermore, traffickers are increasingly involved not only in precursor trafficking but also in other crimes. Besides, these traffickers now turn to methods of smuggling precursors that would usually be used to smuggle drugs. During 2004, the Board intends to continue to work closely with concerned authorities and, where necessary, will convene round table consultations to bring parties together to identify practical solutions to existing problems.

Mr. Chairman,

While precursor control activities have expanded considerably, resources have not, despite a call by this very Commission. In March 2002, the Commission adopted resolution 45/12 entitled "Diversion of precursors and prompt reporting to the competent authorities of the countries of origin and the countries of transit and the International Narcotics Control Board". In that resolution, the Commission urged the Board to continue to follow up cases of interdiction, seizure, diversion or suspected diversion by facilitating investigation with the competent authorities of the countries concerned and to incorporate its findings in the annual report of the Board on precursors and chemicals. Such investigations are important because any information obtained contributes towards a better understanding of the *modus operandi* of traffickers and enables authorities to better direct their scarce resources. Regrettably, the General Assembly rejected the establishment of a post for the Precursor Control Section which is essential in order to fulfil that mandate. As a result, the Board is unable to do so and if no action is taken, what has been achieved so far in precursor control may be jeopardized.

Mr. Chairman,

Let me end by wishing you every success in the deliberations of this Commission.

Thank you for your attention.