

Vienna International Centre, P.O. Box 500, A-1400 Vienna, Austria  
Telephone: +43-1-26060, Telefax: +43-1-26060-5867 / 5868  
E-Mail: [incb.secretariat@un.org](mailto:incb.secretariat@un.org) Internet Address: <http://www.incb.org/>

*As delivered*

**Statement by Mr. Cornelis de Joncheere, President,  
International Narcotics Control Board (INCB)**

**Sixty-third session of the Commission on Narcotic Drugs**

**Item 5(c) Implementation of the international drug control treaties:  
International Narcotics Control Board**

**3 March 2020, Vienna Austria**

Mr. Chair, Excellencies, Ladies and Gentlemen,

It is an honour to report to the Commission on behalf of the International Narcotics Control Board, an overview of the Board's work. The Board's recent work is presented in the 2019 INCB Annual Report and the Report on Implementation of article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, the so-called Precursors Report.

The INCB annual report and the Precursors report were launched on 27 February. This year's report presents an overview of the global drug control situation and functioning of the international drug control system as well as identifies shortcomings in implementation of the conventions. Our Annual Report also represents, an important channel of communication with Governments, conveying our recommendations towards the goal of safeguarding public health and well-being.

The Precursors Report again calls on the international community to engage in a policy discussion on options to prevent the proliferation of non-scheduled chemicals, including designer precursors, from reaching illicit drug manufacturing laboratories.

Today, I will highlight some aspects of the two INCB reports and some of the work undertaken, as well as outline some of the challenges and developments of the last year.

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The 2019 INCB Annual Report includes four chapters. The first chapter contains a thematic discussion on "improving substance use prevention and treatment services for young people". Here we raise awareness on reducing the adverse public health and social consequences of drug abuse. We urge Governments to develop effective strategies for the prevention of drug use and provision of treatment, rehabilitation, aftercare and social reintegration services.

The Board further urges all Governments to:

- develop national systems for the collection of data on drug use,
- develop capacity-building in the field of drug use prevention and treatment,

- implement evidence-based prevention programmes for young people using a wide range of interventions in the family, in school and the community,
- promote early detection and interventions, implement multisectoral evidence-based prevention programmes not only for drug use but also for other problematic behaviours,
- implement interventions to prevent the progression to substance use disorders and
- promote evidence-based treatment programmes specifically tailored for young people taking into consideration the recommendations on the treatment of drug dependence contained in chapter I of the 2017 annual report.

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Let me now turn to **chapter II** of the INCB Annual Report and the section on Functioning of the International Drug Control System where we report on the work INCB has been doing to implement the electronic International Import and Export Authorization System (I2ES) in follow-up to a number of Commission resolutions, the most recent being resolution 61/5.

The I2ES system was designed to modernise, facilitate and expedite the licit international trade in controlled substances.

INCB has conducted training for countries, together with INCB Learning to which I will refer in a minute and provided support on the utilization of the system. To-date, some 70 countries have registered to use the system and to the end of last year 19 countries had uploaded data into the system.

However, I2ES relies on your competent authorities to actively use the system. INCB will continue to support you and invites you to contact us for advice and provide support to continue refining and the development of the system.

INCB urges Member States to scale up efforts to increase the rate of adoption of I2ES and to provide resources to INCB to expand functionalities of the platform. Funding is also urgently needed to address other information technology issues in the INCB; in particular, the primary database used to process statistical data from Members States is antiquated. A new system is required in order to more effectively deal with increasing amounts of data and to continue to enable INCB to provide effective analysis.

Another INCB initiative on which we report is INCB Learning, which the Board has been pursuing with your support in response to Commission resolutions, the most recent being Commission resolution 62/5.

Since its launch in 2016, INCB Learning has provided training to the staff of your competent authorities to *build capacity to ensure adequate access to controlled medicines and to improve treaty-related reporting performance*. As of December 2019, 9 regional training seminars had taken place for officials of 95 countries in Africa, South and East Asia and the Pacific, Europe, Oceania, Central America, Latin America and the Caribbean, and Russian speaking countries.

Through INCB Learning we have also developed e-learning modules to support Governments in estimating and assessing their needs for internationally controlled

substances, and, as some of you know, today, during the lunch break we [launched the e-learning modules](#) in Spanish at a side event.

INCB appreciates the contributions some of you have made to INCB Learning, notably Australia, Belgium, France, the Russian Federation, Thailand and the United States and we very much look forward to more support being forthcoming.

Chapter II also deals with the monitoring of treaty compliance to which I referred to in my opening statement to the Commission on Monday. Let me reiterate briefly some important messages:

- The three international drug control conventions limit the use of narcotic drugs and psychotropic substances exclusively to medical and scientific purposes
- This is an obligation that State parties have contracted with each other, not with INCB;
- This is at the core of the international drug control treaties and represents the broad consensus of the international community to-date, namely that the health and welfare of humanity are best protected through the limitation of the use of controlled substances to medical and scientific purposes.
- Some States have moved to legalizing cannabis for non-medical use, therewith breaching their obligations under the treaties, as the Board has repeatedly and publicly expressed.
- INCB draws attention to this matter in the exercise of its quasi-judicial treaty-mandated functions.

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INCB also highlights the work started under its OPIOIDS project. In January 2019, Operation Fast Forward, a global intelligence gathering operation, targeted sources and re-distribution for the trafficking of non-medical synthetic drugs. It resulted in the growth of the information-exchange through the INCB IONICS system, assisting national authorities in addressing the emergence of new psychoactive substances. The Board is pleased to further enhance this work on sharing data and intelligence through the GRIDS programme that builds on the already existing Board platforms.

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An important aspect of INCB's work relates to our country missions. We report briefly on those missions in Chapter II, bearing in mind the strictly confidential nature of our recommendations to Governments.

Over the last two years, we counted on your exceptional support, undertaking 16 missions in 2018 and 15 in 2019.

INCB counts on your Governments' cooperation in accepting and facilitating country missions as they are essential in enhancing INCB's understanding of the drug control situation in your countries, enabling us to engage in a dialogue with your authorities and tailor recommendations to the challenges faced at the national level as well as learn from the good practices that your Governments have implemented.

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The last part of **Chapter II** refers to INCB's ongoing close consultations with the Government of Afghanistan under article 14 bis of the 1961 Convention. Just in February, the [Government of Afghanistan and INCB met](#) to explore areas where the United Nation bodies and agencies could provide assistance to address the drug control challenges in the country. Among the areas identified, the representatives of the Government of Afghanistan highlighted the following:

- support agricultural infrastructure and strengthen marketing opportunities building upon the success of existing alternative livelihood programmes
- addressing linkages between terrorism, insurgency, corruption and drug trafficking
- strengthening law-enforcement capacities in interdiction and investigation of domestic and cross-border drug-related offences
- facilitating regional cooperation in addressing drug control challenges
- addressing trafficking in chemical precursors used in illicit drug production, and
- increasing health care opportunities for treatment and rehabilitation of those affected by drug use disorders, in particular for women and youth.

INCB is aware of the extraordinary challenges affecting peace and sustainable development faced by the Government and the people of Afghanistan and reiterates that it stands ready to further facilitate support to Afghanistan, through continuous engagement with the UN and other agencies, along with the international community. INCB stresses that efforts to stabilize the country will not be sustainable without effectively addressing the illicit drug economy. INCB will continue working with the Government of Afghanistan and the international community to redress the drug control situation in the country.

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**Chapter III** of the annual report addresses a series of Global Issues a new section of the annual report. I will briefly refer to the two out of the nine global issues in the report.

The first deals with linkages between the drug control and human rights, where INCB:

- Notes its great concern over reports of grave human rights violations purportedly in furtherance of national drug control policies.
- INCB is compelled to remind all States that the primary objective of the international drug control conventions is to safeguard the health and welfare of humanity, which - together with the UNGASS 2016 commitments - must be understood to include respect for human rights.
- INCB reiterates that in order to comply with their legal obligations under the international drug control treaties, States must adopt and pursue drug control policies in compliance with internationally recognized human rights which, as described in the Universal Declaration on Human Rights, are both inherent and inalienable.

- The challenges inherent in responding effectively to drug abuse and drug-related crime are exacerbated, not improved, when States try to justify disproportionately repressive and punitive measures.
- Protecting the rights and dignity of individuals suspected of drug-related offences should be an inherent element of drug control policies that protect all human rights principles and standards. Such an approach requires proportionate criminal justice responses for drug-related offences, including when they are allegedly committed by people who use drugs, and ending extrajudicial responses, which cannot be justified under any circumstances.
- No State is exempt from human rights norms and principles when interpreting the drug control conventions. From this perspective, the Board has consistently recommended to States that human rights norms should form an integral part of their drug-related strategies and policies.

The second global issue on the “linkages between the international drug control conventions and the Sustainable Development Goals” stresses the interconnection of our collective work to implement the treaties with Goal 3, to ensure healthy lives and promote well-being for all at all ages. Achieving that Goal entails, inter alia, access to high-quality essential health-care services and access to safe, effective, high-quality and affordable essential medicines; and strengthening the prevention and treatment of substance abuse.

Similarly, promoting peaceful and inclusive societies and providing access to justice for all (Goal 16), reducing inequality within and among countries (Goal 10) and making cities and human settlements inclusive, safe, resilient and sustainable (Goal 11) are all embodied in the implementation of drug control policies. Countering drug trafficking and related violence must be done to ensure that responses to drug-related criminal conduct are proportional and founded upon respect for human rights and dignity, in line with the three international drug control conventions and the rule of law.

Chapter III continues with a review of drug developments region by region on which I will just mention a few highlights.

In North America, INCB notes and expresses concern about the public health challenge posed by the opioid crisis in Canada and the United States and the related drug overdoses as well as the targeted efforts by authorities to counter it, an area, which as I mentioned earlier is receiving close attention and support of the Board.

The expansion of illicit manufacture, trafficking and use of synthetic drugs, particularly methamphetamine, which continues to be of great concern in most countries of East and South-East Asia, but also spreading to other regions.

In 2019, high-purity cocaine availability and use were on the rise across Europe and it is a matter of great concern. Discussions in Luxembourg and further legal developments in the Netherlands to permit the non-medical use of controlled substances or further develop supplies to that effect are not in line with treaty obligations as the Board has expressed before.

I could go on, but the focus of your interventions will probably refer to this section of the report.

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Let me briefly refer to four out of the 23 recommendations in **chapter IV** of the INCB Annual Report, and then I will turn to the INCB Precursors' Report.

In recommendation 2 INCB again states that the conventions limit the use of controlled narcotic drugs and psychotropic substances exclusively to medical and scientific purposes and that any measures contrary are in breach of treaty obligations

Recommendation 4 – calls on States to pursue drug control policies that respect and protect all human rights and are consistent with international human rights instruments. Drug abuse and drug-related activities cannot be lawfully addressed without ensuring the protection of human rights.

Recommendation 5 – stresses that in addressing drug-related criminality States must apply the principle of proportionality in the determination and application of criminal sanctions, and

Recommendation 7 recalls that State parties to the conventions are required to give special attention to and take all practicable measures for the prevention, treatment, rehabilitation and social reintegration of persons affected by drug use disorders.

The other 19 recommendations relate to:

- Improving drug use prevention and treatment services for young people to which I have already alluded to when speaking about chapter I
- Cannabis
- The conventions and human rights
- Universal adherence to the international drug control conventions
- Reducing the adverse public health and social consequences of drug abuse
- Availability of and access to narcotic drugs and psychotropic substances
- Precursor chemicals and Article 13 of the 1988 Convention
- Abuse of codeine-based cough syrups
- Non-medical use of opioids
- Electronic tools and training, and
- Two region-specific recommendations.

INCB calls on the State Parties to carefully examine the report and give due regard to the implementation of the Board's recommendations in Chapter IV and in the body of the report itself.

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Let me now turn to the **INCB's precursors' report**.

The Precursor's report has become an established reference for professionals and government authorities in monitoring and analysing trends in precursor control and as a tool for addressing emerging challenges. The 1988 Convention gives the Board a set of monitoring and operational tasks and responsibilities in the area of precursors.

**The 2019 report on precursors** focuses on the diverse and complex landscape of precursors control and the sourcing of chemical raw materials. The growing evidence of the spread of illicit manufacture of amphetamine-type stimulants to regions and countries not previously associated with such manufacture.

This includes:

- the illicit manufacture of methamphetamine in Afghanistan, from wild growing ephedra plants;
- a growing sophistication and size of illicit methamphetamine manufacture in Europe, where amphetamine and “ecstasy” have so far dominated; and
- large-scale illicit manufacture of amphetamine, the active ingredient in “captagon” tablets in countries of the Middle East.

The report contains information on the use of non-scheduled chemicals for illicit drug manufacture, including purpose-made designer precursors with no known legitimate uses. The pace at which non-scheduled chemicals are emerging is a cause of great concern to all of us. For instance, since 2018 and just over a year after NPP and ANPP were placed under international control, traffickers have already sought alternatives to these two precursors of fentanyl and a few of its analogues.

Similarly, non-scheduled chemicals are critical to the growing sophistication and efficiency of illicit cocaine processing, while domestic diversion continues to be the main source of diversion for the manufacture of cocaine.

For the 29 precursors under international control, diversion from legitimate international trade has decreased due to the increased use of the INCB Pre-Export Notification Online (PEN Online) system. Joint investigations have benefited from real-time information-sharing through the INCB Precursors Incident Communication System (PICS).

In numbers:

- 164 Governments are registered to use the PEN Online system;
- 113 Governments have invoked article 12, paragraph 10 (a) of the 1988 Convention, which requires exporting countries to send them pre-export notifications;
- and more than 540 officials from almost 120 countries and territories use the PICS system.

Finally, the thematic chapter of the INCB Precursors’ report 2019 focuses on essential equipment used in illicit drug manufacture. INCB activities, in the context of article 13 of the 1988 Convention, aimed at developing effective cooperation mechanisms to prevent and investigate the diversion of equipment used for illicit drug manufacture.

The INCB precursor’s report recommendations cover several topics:

- the need for alternatives to deal with the non-scheduled precursors that continue to emerge around the world
- INCB again calls for a policy dialogue at the international level to address the global challenge of non-scheduled chemicals and designer precursors
- exploring practical approaches to addressing evidentiary challenges in proving intent and knowledge in precursor-related crime
- Improving reporting by Governments to INCB, including on the circumstances of seizures, origin, and methods of diversion as a critical means of preventing diversion; and
- enhancing operational utilization of article 13 of the 1988 Convention to prevent and investigate the diversion of essential equipment used in illicit drug manufacture.

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This brings me to my closing remarks.

I trust that the INCB Annual Report and the Precursors Report for 2019 will be studied by you, in your capitals and that your Governments will see to the implementation of the recommendations contained in the report. INCB looks forward to your feedback on achievements and challenges faced.

I would like to emphasize that INCB's work would not be possible without your continued cooperation and ongoing dialogue with your Governments. We very much rely on the information that you provide us and urge you to continue ensuring its diligent flow. And I very much want to thank you for your cooperation.

Your support for INCB's treaty-mandated work and initiatives as well as your participation and contributions are critical to treaty implementation and to achieving the health and well-being objectives of the treaties and the sustainable development goals.

I look forward to your observations.

Thank you.