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DRAFT UN CONVENTION ON ILLICIT DRUG TRAFFICKING

Comments by the Government of the United Kingdom of Great Britain and Northern Ireland

The Government of the United Kingdom welcomes the draft convention circulated under cover of the report of the Secretary-General (document E/CN 7/1987/2). It regards the text as a valuable basis for the further consideration of the elements identified in resolution 1(S-IX) of the Commission of Narcotic Drugs special session of 1986 as suitable for inclusion in an initial draft. The UK Government is however disappointed to see that the circulated text contains none of the draft clauses which it prepared and submitted to the Secretary-General under cover of a letter of 30 May 1986 from the Home Office. A copy of these draft clauses is attached to these comments at Annex A, and reference is made below to the points at which those draft clauses are regarded as embodying formulations preferable to those in the circulated draft.

The succeeding paragraphs comment on the draft articles seriatim. The UK Government would however preface those comments with the observation that it will be necessary to clarify the relationship between the proposed draft convention and the two conventions which are already in force (ie the Single Convention on Narcotic Drugs 1961, as amended by the protocol of 1972, and the Convention on Psychotropic Substances 1971). Many of the principles and concepts embodied in the draft instrument to combat the illicit traffic are identical to those embodied in the two conventions already in force. However it is not clear, for example, how far it is envisaged that accession to those two conventions would be a prerequisite for accession to the proposed draft convention. If that is not the case, it is unclear how a state which is not a party to both the current conventions, and thus is not bound to accept the definitions contained therein, could become a party to the present draft convention, and thus undertake to implement certain provisions relating to the illicit traffic and to controlled substances when those concepts are necessarily defined by reference to the two earlier conventions.

The definition of "controlled delivery" seems defective in that it does not cover deliveries of innocuous substances which the authorities may decide to substitute for illicit drugs. The UK Government would wish to study further the implications of including precursor and essential chemicals within the definition of "controlled substances", thereby rendering them subject to the wide range of provisions which the draft convention would apply. As a matter of principle, the UK Government would not wish to see the draft convention apply to narcotic drugs which are not included in the Single Convention of 1961. If it is considered appropriate to introduce controls over all parts of the cannabis plant not at present included in Schedule I of the Single Convention, the better course would be to amend the latter rather than introduce a new regime of control which would be confined to a single substance.

The definition of "illicit traffic" may be unsatisfactory in that it appears to cover unlicensed firms producing essential substances and precursors for bona fide purposes. The reference in that definition to activities "contrary to the provisions of this Convention" is unclear since the draft convention does not itself introduce controls on those activities.

The definition of "precursor substance" would exclude chemicals which are not the "immediate" antecedent of a narcotic drug or psychotropic substance (eg phenylacetate acid, which is used in the illicit manufacture of amphetamines).

The definition of "transit state" seems unhelpfully vague. It could apply either to virtually every country in the world which is not a major producer, manufacturer or consumer of drugs, or to virtually no country if most countries of the world are regarded as experiencing major drug problems.

Article 2 (Penal provisions - adequacy of sanctions)

Paragraph 1 implies that Parties are not obliged to amend their domestic law in order to comply with the provisions of the draft convention. It would be preferable to replace the first line by a formula such as "Within the basic principles of national legal systems".

Paragraph 2 seems to require clarification to the effect that the penalties should include one or more (but not necessarily all) of those set out in

It is assumed that the intention of paragraph 4 is to provide for prosecution in all cases, even when, for instance, a prosecution has already been mounted on similar evidence overseas. It would however seem necessary to provide some safeguard against double jeopardy (ie the principle of ne bis in idem).

Paragraph 5 seems to give rise to potential difficulty on both practical and legal grounds. In the absence of any international arrangements for recording past convictions for drugs offences, there would be a substantial administrative burden on the authorities who would be required to assemble this information. There could also be doubts as to the evidential status of such information. In recognition of these difficulties it might be better to make this a discretionary provision.

Paragraph 6, in our view, gives rise to difficulties over concurrent jurisdiction which article 4(9) does little to resolve. The latter article contains no provision setting out how to resolve the question whether "the requesting party is in a better position to establish relevant facts and bring the offender to justice". Our strong preference is that the convention should follow the Hostages Convention (article 5) in which contracting parties establish jurisdiction over offences within their territory (and its traditional extensions) and over offences committed outside its territory in cases where the alleged offender is in its territory and it does not extradite him to another contracting state. Article 3 of the draft articles attached at Annex A contains a form of words which overcomes these difficulties.

Article 3 (Identification, tracing, freezing and forfeiture of the proceeds of illicit traffic)

Paragraph 2 appears largely to duplicate the provision embodied within article 2(1)(c), except that the latter contains no reference to knowledge (which we consider an essential element of the proposed offence).

Paragraph 3(a) provides that only a domestic authority may apply for an order; we see no reason why a foreign authority should not also be enabled to apply. More generally the article contains no provision for international co-operation, particularly the mutual enforcement of court orders; this we consider a major omission.

Paragraph 3(d) owner has knowledge of the source of proceeds if there has been no prior prosecution or conviction. More generally this paragraph and paragraph 3(d) include provisions which might prove unnecessarily restrictive in countries where legislation in this field has already been enacted which places the burden of proof on the accused or where forfeiture powers are more comprehensive.

Article 4 (Extradition)

In paragraph 5 we have doubts about two of the three specific grounds on which extradition may not be refused. Sub-paragraph (b) seems objectionable in that it could deny the right of a requested state to prosecute illegal acts committed in its own territory; it would be better to make any provision of this kind more discretionary. In the case of sub-paragraph (c), the likelihood of a successful claim being made that a drugs offence is political must be remote and there does not appear to be a strong case for retaining this ground.

The first part of paragraph 6 is otiose because jurisdiction is already established by article 2(6) of the draft convention. The latter part is unacceptable because it commits Parties to the prosecution of offences, even though there may be insufficient evidence to justify prosecution. Our strong preference is for the wording of draft article 5 in Annex A.

We see difficulties over the introduction in paragraph 7 of conditional jurisdiction. For example, it is impossible to "offer extradition" - extradition is usually a matter for the courts. We much prefer the formulation in draft article 3(2) in Annex A, which is intended to have the same effect as paragraph 7 of this draft article.

Paragraph 8 is inadvisable: it is not for this convention to seek to define what constitutes a properly supported extradition request. It would be better to replace this with a provision on the lines of that contained in draft article 6(2) in Annex A, namely:

"Extradition shall be subject to the other conditions provided by the law of the requested State".

On paragraph 9 please see our comments on draft article 2(6).

Article 5 (Mutual legal assistance)

Our general view of this article is that, in seeking to establish a full scale mutual assistance arrangement, it is too far reaching and calls for too great a commitment of the investigative resources of the Parties. We wonder whether there is any compelling need to go beyond the usual formula, as reflected in draft article 7(2) attached at Annex A. There is also an apparent discrepancy between paragraph 2 (which implies the need for domestic legislation by Parties) and paragraph 9 (which implies acceptance of their domestic legislation).

Article 6 (Law enforcement co-operation and training)

Whilst favouring the closer co-operation which this article seeks to bring about, we have some doubt about whether such provisions would not be more appropriately included as recommendations in a strategy document. Thus it seems curious for an international convention to seek to impose specific requirements as to the contents of training courses.

In relation to paragraph 1(b) we see practical difficulties over the transfer of controlled substances for evidential or analytical purposes; this could impose a considerable burden upon the limited resources of forensic laboratories.

Paragraph 4 needs, in our view, to be worded more positively if it is to be of real value (see, for example, recommendation 3 of the recommendations adopted by the first interregional HONLEA meeting in August 1986).

Paragraphs 6 and 7 seem rather vague about the practical arrangements for promoting co-operation - it is important to avoid duplicating or cutting across the work going on already through other channels, eg Interpol, Customs Co-operation Council, TREVI and the Council of Europe Pompidou Group, and some formula such as that in draft article 7(3) at Annex A may be useful. Similar considerations apply also to article 5.

Article 7 (Controlled delivery)

We would prefer to see the inclusion of an article modelled more closely on draft article 9 at Annex A. We have a number of difficulties with the article in the UN draft.

Thus paragraph 1 could be taken to apply to activities which do not arise from the detection of illicit consignments (ie contrived consignments involving participating informants);

in paragraph 4(a), continuous surveillance would be unnecessary if the definition of controlled delivery were amended to include innocuous substances (as proposed in above comments on article 1); the point would be covered by replacing "surveillance" by "control";

paragraph 4(c) is most confused: it will be impossible to operate the procedure effectively unless the initiative lies with the detecting party who must retain responsibility for establishing the terms of subsequent action;

paragraph 5 appears unduly restrictive; it must be for the detecting party to be satisfied as to subsequent action before allowing the delivery to proceed. There should also be an obligation placed upon the receiving party to pass to the other parties as soon as possible the relevant information about the completion of the controlled delivery.

Article 8 (Measures to monitor or control specific chemicals used in the illicit processing or manufacture of narcotic drugs or psychotropic substances)

The UK is anxious to promote better international arrangements for the monitoring of essential and precursor chemicals but has a strong preference for an article which provides for discreet monitoring and control of a limited list of key precursors rather than a licensing system; the latter arrangement, as envisaged in this article, looks likely to be a major undertaking calling for a commitment beyond the capacity of many countries and carrying the risk of wasteful diversion of limited control and enforcement resources. The draft article ignores the fact that, in contrast to many narcotic drugs and psychotropic substances, most precursors and essential chemicals have legitimate uses in the production of a wide range of consumer goods. Moreover, there are alternative chemicals which would be used if the main precursors and essential chemicals were to be placed under control by the adoption of procedures similar to those applied to dangerous drugs; thus there is a distinct possibility that in order to be effective the controls would stand in continual need of extension to catch an endless chain of pre-precursors or "designer" precursors. It appears to the UK Government highly questionable whether it would be sensible to apply to precursor chemicals the same sort of control regime that applies in the case of dangerous drugs.

Several points need to be made about the detail of the proposed controls

themselves. The procedure proposed in paragraph 4 for extending controls to new essential substances or precursors is unsatisfactory, since it does not enable any allowance to be made in this determination for the scale of legitimate use; all that the Commission is required to do is to decide whether a chemical is, in fact, a precursor or essential substance. Although paragraph 8 appears to leave it to individual Parties to consider a licensing regime, paragraph 9 makes this mandatory for certain chemicals. Where there is suspicion that a shipment may be used for illicit manufacture (see paragraph 9(g)), a more effective option might be a refusal to license the export.

Article 9 (Materials and equipment)

The available evidence does not suggest that tableting and encapsulating machinery play a significant part in drug trafficking activities. Nor are we aware of any evidence regarding the irregular export of such machinery. The introduction of a registration and notification system covering the export and scale of such equipment would require a substantial commitment of resources, while contributing little to the suppression of drug trafficking.

Article 10 (Measures to eradicate narcotic plants cultivated illicitly)

We are unclear about the relationship of this draft article to article 22 of the Single Convention.

Article 11 (Commercial Carriers)

There is a need to ensure that this article does not duplicate discussions on drug trafficking taking place in IMO or the current study which ICAO is undertaking in response to a UN Resolution calling upon the specialist agencies to participate in a campaign against the traffic. Care also needs to be taken to avoid overlap with existing provisions (eg article 10 of the Warsaw Convention on the liability of airlines and article 3 of the Chicago Convention on 'rights of seizure'). It is also for consideration whether the requirement upon airlines to exercise controls would lead to unacceptable delays at airports and merely replicate arrangements already in place at airports.

In paragraph 1 the assumption seems to be made that Parties need to increase security. We would prefer the following wording:

"The Parties shall undertake to examine security at international ports

the use of their means of transport by persons engaged in illicit traffic."

Paragraph 2 appears to oblige Parties to make it an offence not to take reasonable precautions even if no smuggling takes place. It would also make forfeiture possible if a container ship operator knew that somewhere in some thousands of containers there was one with a small quantity of illicit drugs inside. There is a case for leaving it to individual states to devise appropriate penalties for carriers involved in drug trafficking.

The obligations which paragraph 3 imposes on the carrier are of a detailed kind and might be considered onerous in some cases. Further consideration might be given to the requirement that the carriers train their personnel to identify suspicious shipments or persons and to the question whether the requirement at (b) might be more appropriately imposed on the port or airport authority.

It is unclear why paragraph 4 is confined to commercial aircraft rather than other carriers. The provision should also specify that search, which could cause severe commercial loss and inconvenience, should not take place unless there are reasonable grounds for suspicion.

Article 12 (Illicit traffic by sea)

We think that, given the complexity of maritime law, this article could give rise to difficulty and controversy. It could cause particular problems for those countries which, like the UK, rely on patrol craft to shadow vessels until they enter territorial waters and are not equipped for interception work on the high seas.

As currently drafted, the article contains no exemption in respect of naval vessels. In regard to paragraph 3 states have different definitions of what constitute high seas, as reflected in the fact that a number of states are not parties to the UN Convention on the Law of the Sea. In (b) of the same paragraph "state of registry" seems preferable to "Party of registry".

Article 13 (Free trade zones and free ports)

We would much prefer the adoption of the more comprehensive draft on this subject included as article 10 in Annex A.

ARTICLES ON OFFENCES, EXTRADITION AND JURISDICTION

Article 1

For the purposes of the present Convention:

"drug trafficking" means doing or being concerned in any of the following offences -

- (a) producing or supplying [other than for medical or scientific purposes] any of the substances specified in the schedules to the Single Convention on Narcotic Drugs 1961 or the Convention on Psychotropic Substances 1971, or other raw material, where the production or supply contravenes the law of a State Party;
- (b) transporting or storing any such substance, or its raw material, where its possession contravenes the law of a State Party;
- (c) importing or exporting any such substance, or its raw material, where the importation or exportation is prohibited by the law of a State Party;
- (d) being concerned with the proceeds of drug trafficking in contravention of any law of a State Party relating to such proceeds (or to the proceeds of crime generally)

Article 2

Each State Party shall make drug trafficking punishable by appropriate penalties which take into account the grave nature of the most serious cases.

Article 3

1. Each State Party shall take such measures as may be necessary to establish its jurisdiction over drug trafficking offences in the following cases -

(a) when the offence is committed in the territory of that State or on board a ship or aircraft registered in that State;

(b) when the alleged offender is a national of that State.

2. Each State Party shall likewise take such measures as may be necessary to establish its jurisdiction over those offences in cases where the alleged offender is present in its territory and it does not extradite him pursuant to Article 6.

3. This Convention does not exclude any criminal jurisdiction exercised in accordance with national law.

Article 4

Upon being satisfied that the circumstances so warrant, the State Party in whose territory the alleged offender is present shall take the appropriate measures, including detention, under its national law to ensure his presence for the purpose of prosecution or extradition. Measures taken according to this Article shall be notified without delay to the States required to establish jurisdiction pursuant to Article 3 and, where appropriate, all other States concerned.

Article 5

The State Party in whose territory the alleged offender is present shall, if it does not extradite him, submit, without exception whatsoever and without undue delay, the case to its competent authorities for the purpose of prosecution. Those authorities shall take their decision in the same manner as in the case of any offence of a serious nature under the law of that State.

Article 6

1. The offences in Article 1 shall be deemed to be included as extraditable offences in any extradition treaty existing between States Parties. States Parties undertake to include those offences as extraditable offences in every future extradition treaty to be concluded between them.

2. If a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may consider this Convention as the legal basis for extradition

in respect of those offences. Extradition shall be subject to the other conditions provided by the law of the requested State.

3. States Parties which do not make extradition conditional on the existence of a treaty shall recognise those offences as extraditable offences between themselves subject to the conditions provided by the law of the requested State.

4. The offences set forth in Article 1 shall not be regarded as offences of a political character for the purposes of extradition or mutual assistance in criminal matters.

Article 7

1. States Parties shall designate and make known to each other their national agencies having responsibility for applying the provisions of this Convention, including the authorisation of arrangements for controlled delivery.

2. States Parties shall afford one another the greatest measure of assistance in connection with criminal proceedings brought in respect of offences set forth in Article 1, including the supply of evidence at their disposal necessary for the proceedings. The law of the State requested shall apply in all cases.

3. The provisions of paragraph 1 shall not affect obligations under any other treaty, bilateral or multilateral, which governs or will govern, in whole or in part, mutual assistance in criminal matters.

Article 8

1. In the event of a dispute between two or more States Parties concerning the interpretation or application of this Convention, such States Parties shall consult with a view to the settlement of the dispute by negotiation, or by any other peaceful means of settling disputes acceptable to all parties to the dispute, and for these purposes any party to the dispute may request the Secretary-General of the United Nations to make available his good office.

2. Any dispute of this character which cannot be settled in the manner prescribed in paragraph 1 shall, at the request of any party to such dispute, be [submitted to arbitration or] referred to the International Court of Justice for decision. [Where a dispute is submitted to arbitration, if, within 6 months from the date of the request, the parties are unable to agree on the organisation of the arbitration, a party may request the [President of the International Court of Justice or] the Secretary-General of the United Nations to appoint one or more arbitrators. [In case of conflicting requests by the parties to the dispute, the request to the Secretary-General of the United Nations shall have priority.]]

ARTICLE ON CONTROLLED DELIVERY

Article 9

1. A controlled delivery is the delivery under supervised conditions of illicit drugs which have been detected in the course of consignment or of an innocuous substance substituted therefore which is conducted under the authority of a designated agency with a view to taking legal action against persons responsible for illicit trafficking in drugs.
2. The Parties shall ensure that their domestic legislation does not prevent the possibility of effecting controlled delivery in appropriate circumstances.
3. The controlled delivery may be effected by -
 - (a) the delivery of the whole consignment of illicit drugs;
 - (b) the delivery of part of the consignment of illicit drugs;
 - (c) the delivery of an innocuous substance substituted for the illicit drugs,

and shall, wherever possible, be effected by delivery under (c) above, having regard to the Parties' constitutional, legal and administrative systems.

4. Controlled deliveries may take place
 - (a) internally, whereby the detection, transit and delivery occur in the same territory;
 - (b) externally, whereby the detection, transit and delivery do not occur in the same territory.

5. The Parties shall make all appropriate arrangements to assist each other for the purposes of expediting and effecting controlled delivery. The responsible national agency designated by each Party for the purposes of this Article shall co-ordinate requests from other Parties and authorise the carrying out of controlled deliveries in its territory.

6. The Parties shall so far as is practicable co-operate to ensure the security of

information concerning illicit drug trafficking,
illicit drugs, and
evidence of any offence relating to drug trafficking

which is handled by that Party for the purpose of controlled delivery.

7. The decision whether to offer an external controlled delivery shall lie with the Party in whose territory the consignment of illicit drugs is detected. An external controlled delivery may take place only with the consent of all the Parties involved in the delivery.

8. The Parties shall so far as practicable, having regard to their constitutional, legal and administrative systems, assist each other to ensure that the controlled delivery is properly and adequately supervised by the appropriate designated authority.

ARTICLE ON CONTROLS IN FREE PORTS AND ZONES

Article 10

DEFINITIONS [to go in a general Definitions Article in the
proposed Convention]

(a) "Cargo" means any article which is imported or exported other
than :-

- (i) the necessary equipment, stores or fuel of
the vessel, aircraft or vehicle in or on
which the article is imported or exported;
- (ii) food and other provisions reasonably required
for consumption by the crew or passengers of
such vessel, aircraft or vehicle;
- (iii) any document relating to :
 - (1) the carriage of cargo in or
on such vessel, aircraft or
vehicle; or
 - (2) the inter-office business
transactions of the owner of
such vessel, aircraft or
vehicle;

and

- (iv) articles imported or exported by a passenger of such vessel, aircraft or vehicle, in his personal baggage or carried by him.
- (b) "Cargo in transit" means cargo which is brought into the territory of a Party solely for the purpose of taking it out of that territory and which remains at all times in or on the vessel, aircraft or vehicle in or on which it is brought into the territory.
- (c) "Drug" means any of the substances, whether natural or synthetic, in Schedules I and II annexed to the Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs, 1961.
- (d) "Import" and "export" mean in their respective connotations the physical transfer of an article from the territory of one State to the territory of another State, or from one region to another region of the same State. [This presupposes a provision along the lines of Article 43.1 of the 1961 Single Convention.]
- (e) "Psychotropic substance" means any substance, natural or synthetic, or any natural material in Schedules I, II, III or IV annexed to the Convention on Psychotropic Substances, 1971.
- (f) "Listed port" or "listed airport" means a port or airport listed by the United Nations Commission on Narcotic Drugs as a port or airport which services an illicit drug-producing area or source.

(g). "Trans-shipment cargo" means cargo which is brought into the territory of a Party on a vessel, aircraft or vehicle solely for the purpose of taking it out of that territory on some other vessel, aircraft or vehicle.

Provisions Relating to Controls in
Free Ports and Zones

1. The Parties shall to the fullest extent possible ensure that international trade in drugs and psychotropic substances involving free ports and zones in their territory is conducted in accordance with the provisions of Articles 31 and 35 of the Single Convention on Narcotic Drugs as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs, 1961 and Articles 12 and 21 of the Convention on Psychotropic Substances, 1971.

2. The Parties shall exercise in free ports and zones the same supervision and control over the import and export of drugs and psychotropic substances as in other parts of their territories, provided, however, that they may apply more drastic measures [cf. Article 31.2 of 1961].

3. For the purpose of preventing illicit traffic in drugs and psychotropic substances the Parties may, in respect of vessels, aircraft and vehicles entering, leaving or transitting their territory at a free port or zone:
 - (a) require the crew and passengers to submit their personal baggage for examination;

- (b) require the crew and passengers and maintenance/ service personnel to submit themselves to body search, including body cavity searches under proper medical supervision where such examination is warranted;
 - (c) empower the competent authorities to examine all cargoes, including all cargoes in transit and all trans-shipment cargoes; and
 - (d) empower the competent authorities to search all incoming and outgoing vessels, including pleasure craft and fishing vessels, and all aircraft and vehicles.
4. The requirements in Article ...3(a), (b) and (c) shall not be imposed on persons whose personal baggage is exempt from inspection under the Convention on Diplomatic Relations 1961 or the Convention on Consular Relations 1961, and complies with the provisions of those Conventions, nor in respect of packages constituting a diplomatic bag in accordance with the provisions of those Conventions.
5. Exemption from search under Article3(d) shall be justified in respect of military vessels and aircraft of another Party or State.

6. The Parties shall require the competent authorities at free ports and zones to examine transshipment cargoes coming from a listed port or airport, and shall impose controls on the storage and movement of such cargoes to prevent their being tampered with.
7. When cargo in transit on an incoming flight from a listed airport is transferred to an immediately available outgoing flight, the transfer shall be under escort.
8. If the examination of trans-shipment cargo is not feasible due to its size or bulk, or if it cannot be repacked after examination, the Parties may :
 - (a) require the cargo to be stored in a customs warehouse or customs-approved warehouse or placed under guard until it is exported; and
 - (b) require either that the transfer of such cargo from a vessel, aircraft or vehicle to the place of storage and vice-versa be under escort or that the cargo be sealed during such transfer.
9. If the examination of any cargo is not feasible, the Parties may adopt a verification system whereby the bona fides of consignors or consignees of cargo imported from a listed port or airport are verified before the cargo is released.

10. The Parties shall in framing rules for the search of vessels, aircraft and vehicles and the examination of cargoes, set criteria for the selection of vessels, aircraft, vehicles and cargoes. Such criteria shall require the Parties in selecting a vessel, aircraft, vehicle or cargo to have regard inter alia:

(a) to regional and international trends in illicit drug trafficking and to intelligence reports of such trafficking;

(b) to whether a port or airport is listed;

(c) to whether a port or airport is in the territory of a Party to this Convention or the Single Convention on Narcotic Drugs 1961 or the Convention on Psychotropic Substances, 1961; and

(d) to the frequency with which particular importers import cargoes from listed ports and airports, and for this purpose a Party may maintain a dossier of importers of cargoes from listed ports and airports.

11. The Parties shall maintain patrols in harbour and dock areas and at airports and border control points in free ports and zones in such manner as to ensure, as far as possible, that illicit drugs

and psychotropic substances are not imported, exported or re-exported to, from or through such free ports or zones.

12. The Parties shall institute sanctions against the owners of vessels found repeatedly carrying illicit drugs into or from a free port or zone in their territories. For the purposes of this Article repeatedly shall mean on more than one occasion in any period of eighteen months.

- - -
- CCC
- UK
- Britain
- U.S.
- Canada

International Conference
on Drug Abuse and Illicit Trafficking (ICDAIT)
Checklist for possible subjects/topics/023li

A. DRUG

- Britain*
1. Drug plants (display of coca-bush, cannabis-hemp, opium-poppy, hallucinogenic mushrooms)
 2. Display of drugs (products)
 3. Pharmacology: (dangerous effects of abuse) - presentation
 4. Pharmacology: Symposium about dangerous effects

B. DRUG DETECTION/ANALYSIS

- open*
- if open*
5. Drug plant detection (optical/photographical equipment and methods)
 6. Drug eradication and chemical destruction (equipment/methods)
 7. Drug detection (X-ray, Mass-spectrometry, Chromatography, glass-fibre oculars, etc.)
 8. Drug-sniffing dogs (information on breeding/training)
 9. Drug-sniffing dogs (demonstration live/Video)
 10. Drug analysis: theory, methods (UN standards)
 11. Drug analysis: equipment, model-lab(UN standards)
 12. Drug analysis: demonstrations, experiments
 13. UN Kit: information
 14. UN-Kit: demonstrations, experiments
 15. UN-Kit: action programme for distribution

C. LAW ENFORCEMENT

- W/US*
16. ICPO/Interpol: Organisation/Service / *Forfeiture of assets*
 17. CCC: Organisation/Service
 18. Model office with standard equipment (4-wheel car, telephone, telex, telecopy, teletyper, radio)
 19. Model office in action: demonstration of communications systems
 20. Observation: optical and acoustic equipment, direction-receiver, direction finder, radio-transmitter
 21. Observation in action (live/video)
 22. Criminal network (case-oriented demonstration)
 23. ~~Smuggling routes~~
 24. Smuggling methods, hiding places

- 25. Border controls (esp. informal and illegal transits) - *way want to push up 3rd world*
- 26. Drug producers controls (Visual): factory visit
- 27. Model for packaging and labeling

D. EDUCATION AND PREVENTION

- strong from US - there is where the US official message would come in

- 28. Education: references/literature/info/programmes
- 29. IGO/GO Education: references/literature/info/programmes
- 30. NGO Education: references/literature/infor/programmes
- 31. Education through formal school settings
- 32. Education through community activities
- 33. Education through public awareness programmes
- 34. Prevention through positive lifestyles (i.e. positive peer pressure, role models, alternatives to drug use)
- 35. Message from ex-addicts
- 36. Prevention through changing attitudes and environments (i.e. mass media, advertising, comic books, etc.)
- 37. UNFDAC-Information, activities and programmes
- 38. Warning info papers (brochures, booklets) concerning laws and actions for information of tourists

E. TREATMENT AND REHABILITATION/OTHER

- 39. UN-system Treatment: references/literature/info/programmes
- 40. UN-system Rehabilitation: references/literature/info/programmes
- 41. IGO/NGO Treatment: references/literature/info/programmes
- 42. IGO/GO Rehabilitation: references/literature/info/programmes
- 43. NGO Treatment: references/literature/info/programmes
- 44. NGO Rehabilitation: references/literature/info/programmes
- 45. Intervention
- 46. Early identification
- 47. Drug-free treatment
- 48. Social reintegration of drug users
- 49. Prevention of recidivism
- 50. Presentation of UN-Treaties: List of ratification and adherence to treaties
- 51. Stamps

ROUTING AND TRANSMITTAL SLIP

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REMARKS

*Deadline for response 2 p.m. Friday, January 9.

Thanks.

Cleared Monday Jan 12

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The United States' Comments and Suggested Revisions
A/CONF. 133/PC/8
The Draft Comprehensive Multidisciplinary Outline of
Future Activities in Drug Abuse (CMO)

In conformity with recommendation XII, adopted by The Preparatory Body for the International Conference on Drug Abuse and Illicit Trafficking, the United States submits the following comments and revisions for inclusion in the Draft CMO. It is the strong hope of the United States that these revisions will be incorporated in a revision of A/Conf. 133/PC/8 which would then be made available to the Conference Preparatory Body for its further consideration during its second session in February 1987.

To assist the revision of the Draft CMO, the United States is providing specific changes in the text of each paragraph which requires revision or more general guidelines on revisions, and a brief explanation of the rationale for these changes (when the rationale may not be clearly self-evident). Further revisions and explanations may be forthcoming during the second session of the Conference Preparatory Body.

Introductory Note and Preface

The United States suggests that the Introductory Note and the Preface should be combined since they both contain important introductory comments which should form a preface to the document. Furthermore, the first sentence of the present preface section ought to be revised to state: "Substances to relieve suffering and to alter moods have been known and used in human societies throughout history." The alteration of moods is not the only purpose for which narcotics and psychotropic substances have been used historically. In the United States' opinion, the second sentence of the present preface is unnecessary.

Chapter I

Paragraph 1: Substitute for paragraph 1 the sentence: "There is consensus that simultaneous and comprehensive measures need to be taken to reduce illicit demand, the illicit supply which makes such demand possible and trafficking which links the two."

Rationale: As drafted, paragraph 1 invites controversy. The purpose of ICDAIT is to focus on areas of consensus agreement and this should be stressed from the outset.

Paragraph 4: Add at the end: "It should also be recognized that an important deterrent to both the demand and supply of illicit drugs, as well as drug trafficking, is the presence of effective and enforced legal sanctions."

Rationale: The draft document fails to note the important role legal sanctions can play in reducing supply, demand and trafficking, if they are effectively implemented and enforced. This needs to be specified.

Paragraph 6: Eliminate the words "migrants and refugees" from last line in paragraph.

Rationale: The United States is not aware of any controlled studies documenting that either migrants or refugees are uniquely at high risk for drug abuse.

Paragraph 8: Add to end of paragraph: "The abuse of inhalents further confounds the situation in that many of the harmful inhalents being abused are marketed for legitimate purposes. The World Health Organization is developing a standardized nosology for drug abuse. The classification system will be valuable in clarifying the use of drug related terms, foster communication and allow for collaborative research."

Rationale: It is important to introduce the need for standardized definitions in the section describing "the problem." The work being initiated by the World Health Organization (WHO) is an important step in resolving the issue; it should be recognized in this part of the paper and supported in later sections.

Paragraph 9: The second sentence should read: "Surveys of illicit drug use can be unreliable for a number of reasons including utilization of inappropriate methodology, under-reporting because of fear of exposure and the inability to sample certain user groups by survey techniques."

Rationale: The reliability of drug abuse surveys is much more related to inappropriate methodology and lack of properly trained interviewers, than it is to under-reporting. Under-reporting is more of a validity issue than a reliability issue, i.e., studies have documented that the proportion of under-reporting in drug surveys

remains constant in test-retest assessments of reliability.

Paragraph 10: A new subparagraph (a) should be added:

"(a) Review current methodology for epidemiological studies of drug abuse."

The word "legal" be added in subparagraph (a). The sentence would read, "Review of present methods of data collection by statisticians, medical, legal and demographic services.

Rationale: The concept of epidemiological methodologies for studying drug abuse is quite different than "methods of data collection" identified in existing "a." A review of existing techniques might suggest ways in which ministries can adapt their existing data collection systems to provide important information.

Paragraph 11: Second sentence, add familial to the series so the sentence would read "...social, cultural, familial, and economic situations." In the third sentence, add "family cohorts such as twins or adopted siblings" so the sentence would read "The groups to be studied might include imigrant workers, unemployed persons, family cohorts such as twins or adopted siblings, illiterates and others,...."

Rationale: The role of genetics in risk studies has been inadequately studied. Unique opportunities may exist in some cultures to study the effects of acquired and genetic traits as risk factors in predicting vulnerability to drug abuse. Some locations are particularly favorable for studying the effect of acquired versus genetic traits in the etiology of drug abuse. Alcohol studies have show genetics to play an important role in determining relative risks for that disorder.

Paragraph 14: Add to end of paragraph: "Formal agreements should be established for international collaboration using comparable methodology and instrumentation so that resulting data can provide measures of international drug use patterns. Field testing of the common methodology and instrumentation is essential."

Rationale: While there have been many isolated studies of drug use in various countries, methodology and

instrumentation often vary. The resulting data is only useful for describing a limited population. Standard methodology would allow maximum use of the data and would be an important means of quality control.

Paragraph 18: Paragraph should read: "The Division of Narcotic Drugs should review existing publications on methodology and, if necessary, prepare and publish handbooks suggesting methodologies for collecting and analyzing data on drug abuse. To the greatest extent possible, existing publications should be validated for use in developing countries; updated as appropriate; translated into official languages and made widely available."

Rationale: There are several excellent resource books on methodology available through both the United Nations and the World Health Organization (WHO). The manuals were published without field test validation for use in developing countries. The manuals are generally of high quality but do require some changes for universal applicability in all countries. The WHO documents have not been translated and a frequently heard complaint from the field is that they are not readily available.

Paragraph 24: Add to end of paragraph: "Appropriate mechanisms should be established for sharing the data among appropriate policy makers and drug abuse professionals. Sharing encourages common data collection techniques and allows for early warning of new drug use patterns."

Paragraph 28: Change to read: "Standardized instruments developed by appropriate national mechanisms should be field-tested and, if found useful, made available for the collection of comparable data."

Add to end of paragraph: "National authorities should determine what kinds of data are needed to address key issues, e.g., incidence, prevalence, risk factors, etiology. Governments should collaborate among each other and with appropriate international organizations, e.g., WHO, DND, in an effort to identify common risk factors and establish prospective studies to determine if these factors are predictive."

- Rationale: Much of the available instrumentation may not be culturally relevant and/or may lack local sensitivity. Having standardized data only has value if it meets the needs of the consumer. National coordinating mechanisms would provide major consumer representation and would be able to identify the data needs. Risk factors can best be studied making use of prospective designs.
- Paragraph 35: Change fourth line from the bottom to delete the words "as opposed to placing emphasis on" and insert in lieu: "in addition to emphasizing."
- Rationale: Clarifies that promoting a health, drug-free lifestyle and abstaining from drugs is important.
- Paras 36, 37, and 39: Suggested change: These paragraphs could be broadened to include also clergy, social group leaders such as Boy Scouts, and materials and educational pamphlets for parents as an extension of the school.
- Rationale: It is important to clarify the need to target different age groups, preschool and elementary, junior high and high school aged children. Information may vary and be more specific for older age groups. Materials for peer groups should be developed for use in the older of these age groups.
- Paragraph 36: Subparagraphs (a), (b) and (d) should read:
"(a) Prescribing or recommending for all levels of educational institutions the development of drug abuse prevention curricula and instructional materials, taking into account cultural values and traditions and culture and emphasizing the benefits of a healthy drug-free lifestyle;
"(b) Encourage and advise the preparation of training materials and programs for teachers and school counselors that will enable them to instruct their students in the advantages of a drug-free life;
"(d) Undertaking periodic review of the curricula characteristics and publicity material in question to determine their effectiveness, and recommending adjustments as necessary."
- Paragraph 37: Should read: "The Ministry should recommend the development of a school policy on drug abuse, its implementation to be assured by school

administrators. In particular, student leaders should be encouraged to develop attitudes and activities in their schools and communities aimed at preventing drug abuse."

Paragraph 40: Should read: "The Ministry of Health, in conjunction with the Ministry of Education or other appropriate authority, should issue recommendations to institutions responsible for training persons for a profession in which they will be concerned with the prevention or treatment of drug abuse (social workers, police, medical practitioners, paramedical personnel, health teachers) to include in their curricula programs of study a course specially designed to enable such persons to recognize and deal with cases of drug abuse (adapted from a suggestion by WHO)."

Rationale for
Paras 36, 37
and 40:

It's not the Ministry (or Department) of Education's role to mandate a prescribed curriculum to regional and local authorities. A more appropriate role includes setting standards or criteria to be addressed in the development of curriculum and to conduct and report research that identifies effective strategies. Local authority and responsibility ought to be promoted. For large countries that contain diverse populations, in terms of ethnic, racial, cultural and language differences, a national curriculum would have less impact and effectiveness than one developed locally to address the special considerations within the community. In addition, drug abuse programs should seek to gain local support and commitment, and that is best accomplished through local investment and involvement in the developmental process. The more restrictive the proposed guidelines, the greater the probability for lack of consensus among countries. The language modifications suggested are less restrictive.

Paragraph 42: Following in line 8 "a particular population group" add: "e.g., especially youth."

Paragraph 44: Change "UNESCO" to "International organizations and nongovernmental organizations."

Rationale: The sentence as stated is too limiting.

Paragraph 45: Add: "or non-government organizations should" following "international bodies."

Rationale: Self-evident.

Paragraph 51: Add to the end of the paragraph "to the extent consistent with legislative and judicial interpretation."

Rationale: It is important to emphasize that all prevention and detection methods must be compatible with national legislation and judicial precedence.

Paragraph 56: Add "and nongovernment organizations" after the words "regional bodies" in the first sentence.

Rationale: Nongovernment organizations will provide relevant information and could provide support at various levels.

Paragraph 60: Add: "School systems should be actively involved, when appropriate, in the coordinative function."

Paragraph 64: Following paragraph 64, insert a new paragraph: "Initiatives at the national, regional and local levels should strive for a coordination of actions among the agencies responsible for Health, Justice, Education and other appropriate agencies. This collaborative effort among agencies and groups should promote a holistic approach to the drug problem."

Rationale: Multiagency efforts are better able to address all the facets of the drug problem and to promote a comprehensive remedial and preventative program. This problem is not "owned" by any group or agency. Nor can it be corrected by isolated efforts. Current legislation in the United States prescribes collaborative efforts in addressing this problem and research has endorsed this approach.

Paragraph 65: Add following the last sentence: "These campaigns should include the concept that prescription drugs should be taken only when and in the manner prescribed."

Rationale: Messages of anti-drug campaigns should not inhibit the consumption of prescription drugs when properly ordered by physician.

Paragraph 67: The first line should read: "Concerned agencies, communities and educational systems,

including law enforcement agencies of counties in the same region should be...."

- Rationale: The focus for regional coordination should be broad.
- Paragraph 68: Subparagraph (a) should include at its end: "Keeping in mind the need to foster more communication between governmental and nongovernmental organizations;"
- Paragraph 69: Add before last sentence: "Studies have demonstrated substantial benefits can be realized for both groups by fostering contact between the elderly and youth."
- Paragraph 70: Add to end of last sentence: "who are especially vulnerable to the misuse of prescription drugs."
- Paragraph 75: Replace the period at the end of the sentence with a comma and continue: "with an emphasis on drug-free events."
- Paragraph 86: Delete the words on the third line from the end of the paragraph, "the discovery of cases of illicit demand" and insert in lieu thereof: "improved, more accurate information on illicit demand."
- Paragraph 87: Insert following "prostitution" in the second line: "and other crimes."
- Paragraph 88: Add at the beginning: "Some individuals, especially" and add in the last line after the word "medicaments" the word "especially."
- Rationale: The misuse and abuse of controlled substances occurs in many populations, not just among the elderly and disabled.

Chapter II

- Paragraph 96: Modify to read: "There are no approved uses in modern medicine for cannabis. There are few recognized uses in modern medicine for cannabis derivatives. Some governments, after rigorous scientific investigations, have approved cannabis derivatives, for example, delta 9 tetrahydrocannabinol, for legitimate medical use. Other derivatives are currently under investigation for various medical indications.
- Paragraph 97: Substitute for the last two sentences: "Some voluntary measures have been developed that are

applied by member governments and have strengthened the control system. Nevertheless, the system has only begun to take effect and diversions from the licit manufacture of certain psychotropic substances under international control and the illicit manufacture of some of them pose a serious threat to the well being of the public and a challenge to law enforcement."

Rationale: This change recognizes the significant progress which has been made in strengthening the control system in place.

Paragraph 98: Modify the last sentence to read: "Other action is needed to provide more accurate estimates of legitimate medical needs and should include a determination of the therapeutic applications of the narcotic and psychotropic drugs currently being manufactured and prescribed.

Rationale: It is impossible to determine "truly useful" therapeutic applications for pharmaceutical products. This term is vague and usefulness varies widely across countries. The proposed language accurately reflects current policy in the United Nations system.

Paragraph 99: Delete in line two "on the actual therapeutic use" and substitute "estimates of legitimate medical needs and data regarding therapeutic applications."

Paragraph 100: Delete.

Rationale: The proposed change in paragraph 99 adequately addresses this action.

Paragraph 101: Modify to read: "Professional associations, private foundations and academic institutions, in cooperation with the pharmaceutical industry, and, where appropriate, the Ministry of Health, should be encouraged to conduct research towards finding less abusable psychoactive drugs which are at least of equal effectiveness. In addition, government and nongovernment organizations should be encouraged to conduct scientific studies with the purpose of determining if equally effective, non-pharmacologic treatment interventions can be developed.

Rationale: The important concern is abuse potential and abuse not the actual legitimate use, per se, of

psychoactive substances. Alternative treatments are to be encouraged but the efficacy and utility of narcotic and psychotropic preparations must be recognized.

Paragraph 102: Delete.

Rationale: It is repetitive of paragraph 103 and the important points are covered in modifications to paragraph 101.

Paragraph 105: Delete.

Rationale: Although some monitoring of certain shipments of narcotics should be justified, the routine monitoring of drugs from the point of manufacture to the final dispensing would be unduly burdensome and extremely costly. Governments should decide for themselves the most appropriate means of and approach to such monitoring.

Paragraph 106: The Ministry of Health and, where applicable, other ministries, physicians, manufacturers and other concerned parties, should assure that the promotion of narcotics and psychoactive drugs is always based on safety and effectiveness determinations for usage for specific indications. Persons employed in the promotion and use of psychoactive substances ought to be kept fully aware of the importance of safety and effectiveness in all activities related to these substances. The Ministry of Health should assure considerations of safety and the protection of the public govern all promotion and use of psychoactive substances prone to abuse.

Rationale: The important point in this draft paragraph is the need to assure that accurate information is available for health professionals so that they can make informed choices governing medical therapy depending on the unique circumstances of a case. This goal is best achieved by emphasizing the parameters of safety and effectiveness in all drug use. Also, the draft language is highly inflammatory, negative in approach and it will not gain consensus support.

Paragraph 108: Modify to read: "International organizations or governments within a region concerned might carry out comparative studies of therapeutic practice in various countries with similar

characteristics (such as population, health services and climate), and investigate the reasons for variations in drug use. Such studies ought to be coordinated with appropriate UN agencies, i.e., INCB, DND and WHO."

Rationale: In view of the overlapping responsibilities and authorities within the UN system, broadening the responsibilities will insure a better product.

Paragraph 109: Delete.

Rationale: The modification to paragraph 108 obviates the need for this paragraph.

Paragraph 110: This paragraph should be expanded and clarified to read: "The UN should offer to assist governments with analytical studies of national experiences with regard to the effect of the national drug supply systems on the distribution and availability of narcotic and psychotropic drugs in their countries. Such analyses should also include the effects that international scheduling has on the distribution, availability and consumption of controlled drugs.

Rationale: By expanding this paragraph, the important elements of a supply system, i.e., distribution and availability, are more clearly specified. This reflects present experience as discussed at WHO.

Paragraph 111: Modify to read: The donors of bilateral and multilateral assistance should consider favorably requests by States for financial and other support (including expert advice) for efforts to improve or strengthen national systems for controlling the distribution of narcotic and psychotropic drugs. Such assistance can in the first instance be obtained by authorities of States through technical consultations with the appropriate UN agencies and other governments with existing effective control systems.

Rationale: These changes reflect the reality of how the most valuable technical assistance can be provided, i.e., by States with experience.

Paragraph 113: Modify to read: "The UN should insure that manuals describing the methodologies for estimating requirements of drugs with very high abuse potential are available to all States and

that the model INCB reporting forms are available in the official languages and disseminated.

Rationale: Useful manuals and other materials already exist. They ought to be more widely translated and distributed and tested for validity and utility. It would be an inefficient use of resources to call for new manuals.

Paragraph 116: The last sentence of this paragraph should be modified as follows: " At the same time, the overuse and misuse of narcotics and psychotropic substances should be avoided."

Paragraph 117: Delete.

Rationale: To infer that only psychiatrists should prescribe psychotropic substances fails to recognize the many diverse uses of such substances as well as the abilities of other medically trained professionals to properly initiate and monitor appropriate use of psychoactive drugs. Furthermore, in many countries there are few psychiatrists, and it is the appropriate treatment modality to prescribe psychoactive substances for relatively long periods of time with automatic refills. This paragraph is inaccurate, misleading and irrelevant and therefore should be deleted.

Paragraph 118: The rational use of narcotics and psychotropic substances is frequently hindered by incomplete and often inaccurate data. National health authorities, academic institutions, health professional organizations and others often do not provide adequate information on proper drug use to health professionals. Promotional activities vary in substance and completeness (manufacturers' brochures, advertisements, personal representatives, etc.). In many countries, the monitoring of the prescribing and consumption of these substances is poorly organized. There is a need for better statistics and internationally comparable data for the comparative study of trends in the prescribing and consumption of drugs. Also, there is a need for improved information on drug use to be made available to health professionals.

Rationale: The major reason for inappropriate use is lack of information and accurate and complete data. This problem needs to be addressed by providing

reliable information not by controlling actions designed to limit information. The other parts of this paragraph which concern quality control and false labeling are adequately and appropriately addressed under other targets. They are not aspects of rational use of pharmaceuticals. The negatively phrased draft of this paragraph will not gain consensus support.

Paragraph 118

Bis:

(New paragraph) This paragraph should be inserted to help state the problem: "In some countries, national or international controls inadvertently affect the supply and distribution of drugs, thereby indirectly affecting the availability of these drugs for legitimate medical purposes. This problem has been brought to the attention of and discussed by the WHO Executive Board (EB 79/6, 7 November 1986, paragraphs 17-19). In a number of WHO regions, difficulties have been encountered in obtaining controlled pharmaceuticals, especially phenobarbital. In some cases, pharmacies have become reluctant to stock phenobarbital because of the extra recordkeeping imposed by national authorities or because inclusion in the Psychotropic Convention has been interpreted as meaning that the substance is dangerous and its use prohibited. This has led to serious problems in availability of the drug, particularly in rural areas; in primary health care settings it is often no longer available for prescription by health care workers who are not medically qualified. This kind of restricted availability can have dire consequences for the proper treatment of serious medical problems and such consequences should not be overlooked.

Rationale:

In a balanced discussion of the rational use of pharmaceuticals, the growing body of evidence concerning rational control also must be noted. The World Health Organization has given this issue considerable attention and governments should be fully aware of these discussions and concerns.

Paragraph 119: Modify to read: National health authorities should specify, based on their needs, those narcotics and psychoactive substances which at a minimum must be available for drug therapy in general and for primary health care in particular.

Rationale: It is impossible to specify which drugs are essential without considering local needs and the full requirements of specific medical practice. Based on need, however, governments can anticipate most drugs which will be needed. This proposed change places this idea in a positive rather than a negative context, focusing on making appropriate drugs available in needed quantities rather than taking actions to further limit availability.

Paragraph 120: This paragraph should be modified as follows:
"National health authorities should assure that accurate and unbiased information concerning the appropriate use of narcotics and psychoactive substances is made available to health professionals and primary health care workers.

Rationale: Information in appropriate use is needed and it can and should come from various sources. Unnecessary controls place an unnecessary burden on health authorities and can restrict drug availability for appropriate medical therapy.

Paragraph 120
Bis: With reference to proposed paragraph 118 Bis, a new paragraph should be inserted to read:
"National health authorities should assure that national/international controls do not impede the availability of narcotics and psychotropic substances for legitimate medical consumption.

Paragraph 123: Delete.

Rationale: The draft paragraph is highly inflammatory and negative in tone. It will not gain consensus support. Also, it proposes actions which are unacceptable or inappropriate in many countries. Paragraph 120, as revised, effectively and efficiently addresses the need for accurate, unbiased information to be provided to health care providers. This information includes printed and broadcast materials as well as the need for the information to be authoritative.

Paragraph 124: Should read: "WHO should continue to maintain and update its list of essential drugs, and it should continue to make this list widely available."

Rationale: WHO will continue to revise and update the essential drugs list for all drugs. It is not

necessary that this document address such a general ongoing program at WHO. Indeed, to single out these drugs could be harmful to the entire WHO program.

Paragraph 125: Delete.

Rationale: The draft paragraph proposes a highly controversial action which has been debated extensively in WHO and which has been resolved to the satisfaction of all member states. Separate and different actions should not be proposed by ICDAIT. WHO is not a supranational drug regulatory body nor is it the arbiter of how drugs should be prescribed at the country level. However, the development of data sheets for drugs being done as part of the Action Program on Essential Drugs will address this concern in an appropriate manner. The proposed WHO development of model guidelines for the rational use of narcotics and psychotropic substances ignores the tremendous differences in accepted therapies among the states. Furthermore, at a time of budgetary restraint, such an exercise would detract from the limited resources available to fund critically needed activities of WHO.

Paragraph 126: Revise to read: "The United Nations should consider coordinating studies which assess the availability and utilization of narcotics and psychotropic substances for legitimate medical purposes and on the impact of international controls on this availability and use. Dependent on the results of these studies, the UN should make recommendations for improving availability and use and on the need to strengthen or relax the international controls on these drugs.

Rationale: All reviews of use should be balanced by consideration of availability since the purpose of controls is only to limit improper use or abuse.

Paragraph 133

Bis: Following paragraph 133, add two new paragraphs:

"Countries receiving false or fraudulent permits or orders for psychotropic substances should immediately communicate this fact, together with all known particulars, to the appropriate international organizations such as the INCB and

ICPO Interpol, and to the degree possible, to other possible target nations to which the violators may turn."

and

"Manufacturing and transit countries should provide ICPO Interpol with basic industrial and commercial information regarding source availability and movement of psychotropic substances and chemicals and precursors utilized in the illicit drug traffic keeping in mind the need to collect a manageable set of data.. The information should in turn be collected, analyzed and provided to national enforcement, drug control and customs administrations."

Rationale: These paragraphs strengthen the actions under Target 10 and take into account elements of the new draft convention on drug trafficking. Communication about fraudulent permits will help insure that traffickers do not discover alternate routes and sources for diversion of drugs.

Paragraph 135: Insert in front of and at the end of sentence one: "in some countries."

Paragraph 138: The fifth line should read: "In order to alleviate any undue administrative burden which may arise from the substantial...." And, at the end of the paragraph add: "It should be recognized that substances controlled in Schedules III and IV are found to either be abused or likely to be abused so as to constitute a public health and social problem. The minimum requirements of Schedules III and IV are imposed to prevent that abuse without impeding legitimate medical use.

Rationale: While unnecessary administrative burdens are to be avoided, the real value of all the provisions of the Psychotropic Convention must not be diminished. If one were to lessen the regulatory provisions of the 1971 Convention regarding Schedule III and IV substances, the treaty would not accomplish its intended purpose. If a substance does not present the likelihood of abuse and it is controlled in any schedule of the Convention, then a new review should be initiated to determine the appropriate level of control. The question of administrative burden should be secondary to

treaty obligations and the public health and safety.

Paragraph 147

Bis:

Following paragraph 147, add a new paragraph: "Efforts should be organized by the Customs Cooperation Council and the UN Division on Narcotic Drugs to establish standards for the uniform identification of narcotics and psychotropic substances, chemicals and precursors to be utilized in all commercial and official documents relating to their international commerce so as to facilitate their identification and monitoring."

Rationale:

This target must recognize the serious problems associated with the international movement of precursors by re-shipment to second destinations. A problem frequently encountered is the shipment of precursors to one country under excellent control of the manufacturer only to have the shipment re-shipped to a second destination with no tracking controls in place. This method is used to defeat the more traditional means of following the movement of chemicals, such as liaison with manufacturers, controls by the original producing country, quotas, etc.

Paragraph 151: Subparagraph (a) should read:

"(a) To manufacture with the intent to distribute analogs of controlled substances for human consumption in non-research environments."

Paragraph 152: Revise to read: "The appropriate UN agencies should, in conjunction with national governments, review the possible options available for addressing the potential problem of the illicit manufacture and distribution of controlled substance analogs. Recommendations should be made to the CND regarding the most appropriate UN mechanism for remedying this potential problem."

Rationale:

The existing proposal, e.g., utilizing the WHO review process, is inappropriate. The results of adopting such a recommendation is antithetical to proposals made in Target 11, e.g., see paragraphs 134-139. Furthermore, such an action would be completely unmanageable and out of proportion to the size of the problem, at present.

- Paragraph 167: The last sentence should read: "Fixed and rotary wing aircraft are commonly used in agriculture and are efficient for spraying large fields from the air."
- Paragraph 168: Should read: "Any chemical used in spraying must be proved to be harmless to the particular environment. All of the herbicides utilized in illicit crop eradication are widely employed in commercial agriculture, and are generally registered for use in all major agricultural countries. Some herbicides utilized for commercial range and brush control are partially effective against coca. Research is currently being sponsored to develop a herbicide, or herbicide application technique, which is fully effective in all the major growing environments."
- Paragraph 171: In subparagraph (a) insert prior to the last sentence: "Any transitional economic assistance should be dependent on complete abandonment of illicit cultivation." and in subparagraph (b) the last sentence should read: "non-traditional plantations should not benefit from any transitional assistance."
- Paragraph 175: At the end of the paragraph, add: "Therefore, in the absence of enforcement, development assistance will have marginal and possibly even adverse effects on efforts to reduce illicit narcotic production and trafficking."
- Rationale: It is widely recognized that effective enforcement of restrictions on illicit narcotic crop cultivation is a precondition for the success of development assistance designed to provide alternative sources of income for farmers or rural populations traditionally engaged in narcotics cultivation. Furthermore, in many cases, development efforts may need to be focused on off-farm employment opportunities or in areas adjacent to or away from the producing area.
- Paragraph 176: At th end of the paragraph, add: "Moreover, to be successful, these development efforts must be accompanied by effective enforcement including bans on cultivation and effective interdiction."
- Rationale: Same as for paragraph 175.
- Paragraph 177: In subparagraph (a), insert following the word "export" the words "and domestic."

Rationale: Market surveys should explore domestic as well as export markets. The feasibility of setting up product processing plants should be stated emphatically as promoting private sector participation in the financing, development and management of small agribusiness or industries.

Paragraph 179: The first part of the paragraph should read:
"An international campaign with the participation of the United Nations family of organizations and other regional and international organizations should be undertaken...."

Paragraph 184: Line three should read "bush is carried on clandestinely on a considerable scale, the donor must"

Chapter III

Paragraph 205

Bis:

Following paragraph 205, add a new paragraph:
"The Ministry of the Interior or Justice or other appropriate authority at the local level should establish standards of conduct and integrity for law enforcement agencies and officers that are involved in drug law enforcement. States should establish appropriate mechanisms and practices to assume investigative oversight of public officials so as to prevent and detect corrupt practices and associations between trafficking networks and persons holding public office and to vigorously prosecute such offenses where detected. All states should ensure that an appropriate legal framework with penal sanctions is enacted (if they are not already existent) to support the criminal prosecution and punishment of corruption offenses.

Rationale: The nexus between illicit trafficking networks and the corruption of public officials within both the criminal justice and political apparatus in many countries is a well-established fact. This link is vital to the security and financial well-being of trafficking networks. It is not a question of whether it exists, but rather where, and thus states should establish within the agencies responsible for drug law enforcement appropriate mechanisms and laws to combat this pervasive problem.

- Paragraph 215: The first five lines should read: "The technique of controlled delivery should be used to the maximum extent possible. The legislature and the Ministry of Justice or other appropriate authorities should take the necessary resources pursuant to domestic law to authorize the appropriate use of the technique of...."
- Paragraph 222: Insert in subparagraph "c" following "proceeds": "or instrumentalities."
- Rationale: This language is in keeping with the current legal understanding of references to asset forfeiture.
- Paragraph 238: Should delete from line three: "persons convicted of" and lines five and six should read: "that the order of the court in one State party to the agreement is enforceable in another State party, provided that in cases where a sentence is imposed the respect of the convicted"
- Paragraph 241: At the end of the paragraph, add: "Furthermore, in some cases, it may be desirable to permit use of the mails to ship, in a controlled manner, samples of seized narcotics to regional or other laboratories for analysis."
- Paragraph 247: Add to the end of the paragraph: "Moreover, drug trafficking offenses are usually a part of a continuing criminal enterprise and states should provide a legal basis to deny conditional release when there is evidence that such release would constitute a continuing threat to the community."
- Paragraph 264
Bis: Following paragraph 264, add the paragraph: "Governments should consider the need for legislation to specifically provide for the freezing, seizing and forfeiture of instruments and proceeds when an order of forfeiture has been issued by competent authority in another nation and to provide a method whereby properly certified evidence concerning the illicit derivation of assets can be used to seize and forfeit instruments and proceeds even though there has been no other apparent criminal activity in the nation where the assets have been deposited."
- Paragraph 267: Add to the paragraph following the word "ports": "so that countries take the necessary

steps to assure that free trade zones are not used to divert essential chemicals, precursor chemicals, and controlled drugs."

Rationale: Under both the Single Convention on Narcotic Drugs and the Psychotropic Convention, member nations are required to "exercise in free ports and zones the same supervision and control as in other parts of their territory." However, it is well-known that drug traffickers exploit the vulnerability of these facilities.

Paragraph 267

Bis:

Following paragraph 267, add a new paragraph: "While avoiding the restriction of or interference in international commerce, countries should develop programs to ensure that all drugs or chemicals entering or transiting their country are of legitimate origin and destined for legitimate use. Countries should pass appropriate legislation to assure this, where necessary. Appropriate law enforcement and customs officials should be trained in the identification of drugs and chemicals, suspicious routes, and methods of illicit shipments. Manifests and shipping documents should be closely scrutinized for suspicious shipments. Authorities should be empowered to search incoming and outgoing vessels, aircraft, and vehicles in order to monitor the movement and transshipment of drugs and chemicals in free trade areas. Patrols should be maintained in harbors, airports and other free zones.

Paragraph 272: Should read: "Legislation should be enacted whereby firms whose employees are found to be in possession of large quantities of drugs acquired unlawfully in the course of their business would themselves be liable to civil penalties if proved to have been negligent in their management and to criminal penalties if their negligence rises to the level of recklessness."

Rationale: We fully endorsed the concept of corporate liability. In addition, we believe that corporations should be held accountable both civilly and criminally for their conduct. However, we cannot endorse criminal liability for a corporation which has been merely negligent. On the other hand, we would strongly endorse civil liability such as forfeiture of corporate property used in trafficking if it has been shown that the corporation has been

reckless or negligent in its management of that property.

Paragraph 285: The final sentence should read: "Coast Guard or similar agencies should be authorized to stop and search vessels and aircraft to the fullest extent permitted by national law in order to suppress the illicit carriage of drugs."

Rationale: Articulating a standard for exercising boarding, search and seizure authority is unnecessary. Whatever standard is used is a matter of domestic law. Under U.S. law, reasonable suspicion is not always required for stops and boardings for the enforcement of customs laws. Since the purpose of the CMO is not to gain approval of internationally recognized standards, the sentence should be neutral as to the justification for a stop of boarding.

Paragraph 297: Subparagraph (a) should read: "If the item is addressed to a person located in the national territory, the Customs Service should inspect the item in accordance with domestic law and procedures;"

Rationale: Insomuch as most countries do not require a search warrant to inspect items arriving within that country from offshore, we suggest that the statement "the Customs Service should obtain a search warrant" be changed to reflect the warrantless search authority of most customs services.

Paragraph 300: Add to the end of the paragraph: "A study of this problem and appropriate actions which may be taken to combat it would be a useful step."

Paragraph 301: Should read: Vessels and aircraft are utilized to transport illicit drugs between countries, outside national boundaries, on the high seas and in international airspace. As numerous countries may be affected by international shipments of illicit drugs, appropriate cooperative procedures for interception need to be devised which do not interfere with legitimate passage and commerce. While Article 108 of the convention on the Law of the Sea provides that the State of registry may ask assistance from another State in order to board and seize a suspect vessel of its registry, existing national legislation may not in some cases include provisions empowering the

authority concerned to carry out all the necessary procedures for interception, prosecution and judicial action.

Rationale: The draft paragraph uses phrasing which could lead to misconceptions of the current problem faced by all nations in the transportation network.

Paragraph 302: The first sentence should be changed to delete "it may request another State to assist in carrying out a search" and to insert instead: "it may request another State to assist in suppressing the uses of the vessel or aircraft for that purpose,"

Rationale: Since a search is only one part of the interdiction process, the use of the word "search" is too limiting.

Paragraph 303: Should read: "The law enforcement authorities should, to the fullest extent permitted by national law, undertake to board and seize a vessel unlawfully carrying drugs, provided that the authorization of the state of registry or a coastal state has been obtained when required by international law, or that the vessel or aircraft is considered without nationality or assimilated to a vessel or aircraft without nationality in accordance with international law."

Rationale: Defining a standard for boarding or seizing a vessel or aircraft is unnecessary since the actual standard will be a matter of domestic law. For example, the standard suggested, reasonable grounds for believing, while reflecting U.S. law for purposes of boarding a foreign flag vessel, is inaccurate in terms of seizures. Probable cause is the U.S. standard for such actions. Further, the stated criteria for considering a vessel as stateless is an inaccurate statement of international law.

Paragraph 303: Add to the end of the paragraph: "A State should respond promptly when asked for permission to stop, board and search a vessel or aircraft under its registry for reasons of illicit drug trafficking control."

Chapter IV

Paragraph 312: The first sentence should include, following "Education)": "and where appropriate, nongovernmental organizations,"

Paragraph 317: Delete.

Rationale: "Principal factors" will vary from country to country. "Treatment principals" having broad applicability are readily available in the literature. It would be a waste of valuable resources to suggest that WHO reidentify such principals. Paragraph 318 provides sufficient support to member states who need assistance in identifying treatment principals.

Paragraph 319: Add to the end of the paragraph: "The important work being conducted by WHO on nosology should be encouraged and expanded, and governments should assist WHO in field testing the nosology for validation in various locations."

Rationale: The need for internationally accepted definitions and technical terms is essential to communications, in understanding treatment and prevention issues, and in promoting research. The existing paragraph requires strengthening.

Paragraph 323: Add subparagraph (d). Evaluate the effectiveness of treatment approaches minimally making use of the classic "treatment outcome variables" of (1) decreased drug use, (2) increased productivity, and (3) decreased antisocial behavior.

Rationale: The triad outcome variables are widely used by evaluators in assessing treatment outcome. It is important that comparable data be developed in all regions.

Paragraph 325: Paragraph should read: "Close collaboration should be established or maintained with international organizations (especially with WHO) and with nongovernmental organizations so that information on treatment approaches and outcomes can be adopted to specific local and national settings. In light of this information, national strategies may be revised."

Rationale: WHO is not the only international organization having information on treatment which could be

useful if made more available. Nongovernment organizations have a potentially important role.

Paragraph 328: Paragraph should read: "International organizations (especially WHO) should assist various countries and regions to make it possible to evaluate national programs of treatment. Governments should consider developing comparable evaluation design and methodology for treatment outcome studies. International organizations should assist in disseminating the findings and in comparing results.

Rationale: The actual research should be conducted by countries themselves making use of common methodology assured by technical assistance provided by international organizations. Treatment outcome studies of different modalities in various cultural settings are greatly needed.

Paragraph 329: Paragraph should read: "International organizations (including WHO), nongovernmental organizations and governments should be requested to provide technical assistance, and UNFDAC to provide financial assistance, to help undertake epidemiological studies including research into identifying high risk groups and the etiology of drug dependence.

Rationale: This effort should involve many bodies, not only WHO. While not correct by scientific definition, epidemiological studies are frequently interpreted as incidence and prevalence studies only. States are often in unique settings to identify groups who are at great risk for drug dependence. Risk studies are a component of epidemiological research that are greatly needed.

Paragraph 330: Should be deleted.

Rationale: Its purpose of such seminars is too vague. Such general regional seminars should not be given funding priority given budget constraints and more efficient and effective methodologies which exist to achieve information dissemination.

Paragraph 332: Add sentence: These terms should be defined operationally and tested for validity before dissemination.

Rationale: Many of the manuals and technical assistance publications available through international organizations have been disseminated without benefit of validation through pilot testing at the field level.

Paragraph 333: Should read: "The available manuals on treatment techniques should be reviewed and, if appropriate, revised as necessary for broad applicability and after field testing made readily available."

Rationale: There already exists numerous manuals and handbooks on treatment technique. Because of cultural and fiscal variation, it may be impossible to develop a universally acceptable and useful handbook on treatment. Nonetheless, the material which is currently available should be reviewed to determine its potential for revision and/or distribution.

Paragraph 335: Third sentence should read: "Such techniques as continued provision of controlled amounts of addictive substances, e.g., methadone, has not been universally accepted in all regions. However, in some countries, scientific study has determined that narcotic maintenance programs are safe and effective in reducing illicit drug use, criminal activity, the spread of AIDS, and improved socialization in a subpopulation of "hard core" narcotic addicts. In some settings other modalities of treatment such as detoxification or drug-free therapeutic communities are at least as successful in reducing the rate of recidivism."

Rationale: Methadone has been shown to be "unequivocally" successful in reducing recidivism in the United States making the sentence as proposed at least partially inaccurate.

Paragraph 348: Change to read: "International organizations and other appropriate organizations should review existing operational manuals available for sponsors of treatment programs, determine if a need exists for additional or improved manuals, and, if so, revise or prepare them as necessary and distribute them."

Rationale: Limited fiscal resources should not be used to develop more training manuals when quality material is available which can be adapted.

Paragraph 358: Substitute "International organizations and other appropriate organizations" for "WHO."

Rationale: WHO is not the only international organization serving as a resource on training.

Paragraph 359: Paragraph should read: "International organizations and other appropriate organizations should review existing materials available for training purposes, revise the material if necessary and make it available for integration within national training programs for application by local training staff."

Rationale: Limited fiscal resources should not be used to develop more training manuals when quality material is available which can be adapted.

Paragraph 360: Omit paragraph.

Rationale: Same as for paragraph 359.

Paragraph 364: Insert following the words "Prophylactic measures" in line five: "which will not promote or facilitate drug abuse."

Paragraph 369: Add to end of paragraph: "Drug dependence should be viewed as a chronic recurring disorder which responds to treatment. Several treatment episodes may be necessary before long-term abstinence is realized. As a rule, each treatment episode provides benefits which can be seen as longer periods of drug abstinence, increased productive behavior and lessened antisocial behavior."

Rationale: Paragraph 369 is educationally oriented rather than action oriented. Thus it would provide an opportunity to introduce the important concept of chronicity and the value of repeated treatment efforts.

Paragraph 380: Delete subparagraphs of the paragraph and substitute at the end of the lead paragraph: "Take appropriate actions to assure effective care and treatment are provided to offenders with drug dependencies."

Rationale: The subparagraphs are not all related to lead sentence. For example, to "evaluate the possibility for cooperation with the health services" is not related to offender data. The subpoints only make the paragraph's meaning

unclear and they call for some actions which are not legal or appropriate in all countries.

Paragraph 385: Insert in the first sentence following the word "medical" the words "educational and support" and in subparagraph (c) following the word "psychiatric" add "educational."

Rationale: The beginning of this target area in Section 377 addresses a comprehensive approach including "treatment, education, aftercare rehabilitation and social reintegration." Latter text loses this theme and only focuses on medical care. Therefore, we recommend the insertion of education and other support areas that stress their equal importance in addressing this problem.

Paragraph 391: First sentence: change "least costly" to "most cost-effective."

Rationale: "Least costly" programs may be the most expensive if they provide few benefits.

Paragraph 399: Add "including nongovernmental organizations" after the words "regional bodies."

UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/CONF.133/PC/8
15 October 1986

ORIGINAL: ENGLISH

COMMISSION ON NARCOTIC DRUGS:
PREPARATORY BODY FOR THE INTERNATIONAL CONFERENCE
ON DRUG ABUSE AND ILLICIT TRAFFICKING
Vienna, 12-18 February 1987
Item 3 of the provisional agenda

DRAFT

COMPREHENSIVE MULTIDISCIPLINARY OUTLINE
OF FUTURE ACTIVITIES IN DRUG ABUSE CONTROL

In conformity with recommendation XII, adopted by the Preparatory Body at its first session, the draft text of the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control referred to in paragraph 4 of General Assembly resolution 40/122, is circulated herewith. The draft text is to be considered by the Preparatory Body at its second session, in February 1987. In order that they may be taken into account, in so far as is appropriate, any comments on the text should reach the secretariat of the Conference not later than 9 January 1987.

ABBREVIATIONS

CCC	Customs Co-operation Council
ECA	Economic Commission for Africa
ECLAC	Economic Commission for Latin America and the Caribbean
ESCAP	Economic and Social Commission for Asia and the Pacific
FAO	Food and Agriculture Organization of the United Nations
IATA	International Air Transport Association
ICAO	International Civil Aviation Organization
ICPO/Interpol	International Criminal Police Organization
ICS	International Chamber of Shipping
ILO	International Labour Organisation
IMO	International Maritime Organization
INCB	International Narcotics Control Board
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UPU	Universal Postal Union
WFP	World Food Programme
WHO	World Health Organization
WTO	World Tourism Organization

Introductory note

The object of the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control, the draft of which is submitted herewith, is to suggest measures that might be taken in the context of the various disciplines involved in drug abuse control.

The Outline, as a repertory of these measures, is designed to enlist the participation of all segments of society and all citizens in action at the national, regional and international levels. It has been prepared as an indicative compendium of suggestions of practical activities for the use of government agencies, professional associations, academic institutions, non-governmental organizations, community and civic groups, parents and individuals, as well as the various entities of the United Nations family and other intergovernmental organizations.

Being a comprehensive review of all aspects of the subject, incorporating a balanced, multidisciplinary approach, this draft text reflects the view of the Conference's Preparatory Body that no single aspect should be considered in isolation. Prevention and reduction of demand, reduction and control of supply, action against illicit trafficking, and the treatment and rehabilitation of drug-dependent persons should each be analysed for the purpose of determining what action needs to be taken now and suggesting specific action to be taken by the various elements in the social structure. It was also intended that the Outline should identify objectives realistically attainable in the course of the next 10 or 15 years.

For the sake of convenience and brevity, the word "drug" is used frequently in this Outline to denote generally (unless the context obviously demands a different meaning) all the narcotic drugs and psychotropic substances covered by the international conventions, specifically the Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs, 1961, 1/ and the Convention on Psychotropic Substances of 1971, 2/ hereinafter frequently referred to, respectively, as the 1961 Convention and the 1971 Convention. The expressions "drug abuse", "drug trafficking" and like terms should be construed accordingly.

Since almost inevitably there was a good deal of overlapping of suggestions received from Governments, United Nations bodies and entities, specialized agencies and other intergovernmental bodies, a note has been added in appropriate contexts to indicate that some particular suggestion was made also by another, named, source. In cases where a suggestion was thought to introduce a novel element, a note was added attributing the idea to its source.

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PREFACE

Background

Mood-altering substances have been known and used in human societies throughout history. Opium, for instance, was used in the Eastern Mediterranean region about 5,000 years ago, and for centuries the leaves of the coca bush have been chewed by the population of the Andean highlands. The ambivalence of these substances - indispensable for the relief of pain and suffering, but dependence-producing and destructive when misused or abused - led societies to make rules restricting their handling (by priests or doctors only) and use (for religious or curative purposes only). Until fairly recently, therefore, it was possible in most parts of the world to restrict the use of psychoactive substances within acceptable limits.

Since the mid nineteenth century, however, drug abuse has been spreading in many countries as a result of a number of factors: increased availability (expansion of communications and transport, advances in chemistry), social disorganization associated with industrialization, migration and rapid urbanization, changes in attitudes ("a pill for every problem") and in the sense of values, and ruthless exploitation of fellow human beings by unscrupulous persons.

In order to deal with the increase in drug abuse, the community of nations since the early twentieth century has gradually evolved global control mechanisms intended to limit the availability of drugs for abuse, because it was quickly realized that no single country could succeed alone in preventing drug abuse and illicit trafficking. Between 1912 and 1972, no less than 12 multilateral drug control treaties were concluded. During this period, the main effort was directed to the gradual devising and applying of a network of administrative controls having as their primary object the regulation of the supply and movement of drugs with a view to limiting their manufacture and imports to the quantities required for legitimate medical purposes. Governments have also increasingly recognized the need to co-operate in the fight against the illicit traffic in drugs and accordingly to furnish to the international control organs, established first under the auspices of the League of Nations and then included in the United Nations system, periodic reports on their application of the international instruments and to submit to international supervision for their common benefit.

As gaps in the international control system were progressively closed, it became more generally apparent that the mechanisms originally attached to the introduction of international supply control were not in themselves sufficient.

Without prejudice to the importance of continuing administrative control of narcotic drugs and psychotropic substances and of international co-operation in the fight against the illicit traffic, counter-offensives of another dimension are now needed at the national and international levels, to respond to the threat drug abuse poses not only to millions of persons but also to whole population groups and even societies and economies in some countries.

Many heads of State and Government have recently directed their personal attention to launching such counter-offensives, and the Secretary-General of the United Nations, addressing the Economic and Social Council at its 21st meeting on 24 May 1985 (see E/1985/SR.21), noted that the moment had arrived for the international community to expand its efforts in a global undertaking that would be more concerted and more comprehensive. He envisaged a truly

world-wide effort to contain the plague of illicit drugs, and thus proposed that a world conference be convened at the ministerial level in 1987 to deal with all aspects of drug abuse. Much has already been achieved by the international community in building up defences against excessive production of dependence-producing drugs and the illicit drug trafficking. Building on this foundation of international co-operation developed over nearly 80 years, Member States of the United Nations are now concerting their efforts to expand the Organization's work in the field of drug abuse control.

The political will on the part of the international community to take urgent, effective and concerted action to deal with the disturbing situation created by drug abuse and the drug traffic was reflected in the General Assembly's decision, in its resolution 40/122, to convene the International Conference on Drug Abuse and Illicit Trafficking* in 1987. The Assembly gave the Conference an ambitious mandate encompassing the full range of issues relevant to the fight against drug abuse, illicit trafficking and related criminal activities at the national, regional and international levels. The Assembly directed the Conference to adopt a "comprehensive multidisciplinary outline of future activities which focuses on concrete and substantive issues directly relevant to the problems of drug abuse and illicit trafficking". This mandate transcends the traditional concern with control of the supply of and the illicit traffic in drugs.

Structure of the document

The Outline comprises four chapters, covering the main elements involved in drug control programmes and the subjects included in the provisional agenda of the Conference: prevention and reduction of illicit demand, control of supply, action against illicit trafficking, and treatment and rehabilitation.

Each chapter indicates specific targets, particularizing the objective to be attained; the action to be taken at the national level (by Governments, professional associations, academic institutions, non-governmental organizations, communities, parents and individuals); at the regional level (by regional intergovernmental and non-governmental organizations and bodies); and at the international level (by international organizations, especially those of the United Nations family).

The catalogue of proposed action is not exhaustive, nor does it follow any particular order of priority. Any action should be considered within the socio-economic context of the country concerned and may need to be adapted to the particular cultural or social setting in order to be successfully applied. In particular, due account should be taken of the constitutional system, for legislative and regulatory provisions and court practice may need to be adapted and revised in order to give full effect to the national efforts.

General principles

The recommended measures set out in the present document are intended to be applicable in the generality of situations where drug abuse or illicit trafficking, or both, have assumed dimensions that give rise to concern. National authorities are best equipped to judge what action is called for within the country for dealing with the evils of drug abuse and illicit trafficking. At the same time, it cannot be too strongly emphasized that any

*Hereinafter referred to as "the Conference".

State which is not yet a party to the two principal international instruments relating to drugs - the Single Convention, 1961 (as amended by the Protocol of 1972) and the Convention on Psychotropic Substances of 1971 - should ratify or accede to these two Conventions as a matter of urgency, and so join the community of nations that are formally pledged to fight these evils by a common effort. In addition, States parties to these Conventions are urged to designate (in so far as they have not already done so) the special administrations or agencies referred to in articles 17 and 35 of the 1961 Convention and in articles 6 and 21 of the 1971 Convention. These should, in turn, be directed, as necessary, to concert their activities with those of the focal points designated by States to co-ordinate preparations for the Conference.

In any region where machinery has been established by agreement among States in the region for the purpose of co-ordinating policies and actions in commercial, financial, cultural or other fields, the Governments of these States should consider the possibility of also using such machinery for co-ordinating their policies and measures with respect to drug abuse and illicit trafficking within the region (adapted from a comment by the Organization of American States).

Further consideration of the draft Outline

After consideration by the Preparatory Body for the Conference at its second session, in February 1987, of this text together with the summary of comments received after its circulation on 1 December 1986, a final draft will be circulated by mid-March 1987, that is, 90 days before the opening of the International Conference on Drug Abuse and Illicit Trafficking.

I. PREVENTION AND REDUCTION OF THE ILLICIT DEMAND
FOR NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

Introduction

1. Different authors and different Governments take different views as to the best way of fighting drug abuse and illicit trafficking and of dealing with their attendant phenomena. According to one school of thought, it is the sources of the illicit supply of drugs that should form the primary target of concerted and determined action, for - so it is argued - if the supply is halted or at least curtailed, addiction and trafficking would cease or at least diminish. Much of the national and international action taken so far has been aimed at the supply side of the drug economy, in the form of control of the legitimate production and trade (to prevent diversion into illicit channels), bans on cultivation of narcotic plants, and their eradication (physical uprooting or destruction of illicitly cultivated plants) etc. The philosophy underlying the two principal international instruments relating to narcotic and psychotropic substances - the 1961 and 1971 Conventions - is guided by the same considerations, in that they make provision for strict control, by licensing and other means, of the production, manufacture, internal and international trade, prescribing, storage etc. of the substances covered. In certain circumstances the cultivation of narcotic plants may be prohibited by the national authorities, and the two Conventions contain some provisions for penal sanctions to be enacted by States parties with respect to violations of the provisions of the Conventions which are treated as punishable criminal offences.

2. The inference to be drawn is that the manifest intention of the negotiators of the Conventions was to curb and if possible to stop the uncontrolled flow of drugs and substances the excessive consumption of which was considered dangerous to the health of the individual, to the social fabric and even in some cases to political stability and security.

3. The other school of thought holds that efforts to deal with what has come to be regarded as a social scourge should concentrate on the demand side, that is on the market. According to this view it is an immutable law of economics that where there is a demand, a market, for a certain commodity, suppliers will not be slow to satisfy the demand. What is more, it is said, if the supply is restrained the economic consequence will only be to drive up the price of the commodity in question. Hence, in the opinion of this school of thought, the more efficacious way of dealing with the criminal activities associated with drug abuse and illicit trafficking would be to lower the illicit demand for drugs.

4. The crucial fact that has to be recognized is that neither of the two schools of thought holds the monopoly of the truth. For the purpose of dealing with drug abuse and illicit trafficking, both the supply of and the demand for drugs should be reduced and action should be taken to break the link between demand and supply, that is, the illicit traffic.

5. While it is not claimed that the restriction of the illicit demand is the panacea for curing the social sickness of drug abuse or for breaking the chain of criminal activities of illicit trafficking, various possible methods for reducing the illicit demand are suggested in chapter I. Nor should these suggestions be regarded in isolation or as contrasted with those put forward elsewhere in this Outline for curbing the illicit supply: rather, they should be thought of as complementary to those other suggestions, for they all have ultimately the same objective of banishing an acknowledged evil and of rescuing human beings from a precarious situation.

6. It will be noted that in chapter I considerable emphasis is laid on information and exchanges of experience, for there is no doubt that there are large gaps in the knowledge about the extent of drug abuse and about methods for restraining it. To the extent that countries can learn from each other, and subject to due allowance for differences in resource endowment, social and cultural conditions and economic system, national authorities should be encouraged to ask for and communicate results of measures for reducing the illicit demand for drugs. For their part, the United Nations bodies concerned will wish to take into account, in projects or activities designed to alert the public to the risks of drug abuse and to diminish the illicit demand for drugs, the special need for protection of certain vulnerable population groups, e.g. the young, migrants, refugees, in the context of existing or future programmes.

Target 1. Assessment of the extent of drug misuse and abuse

The problem

7. Thanks to modern techniques of data gathering and processing, it is now possible in many countries to measure precisely the extent of drug use for medicinal purposes once a drug has been prescribed by doctors. Drug abuse, however, defies precise measurement, owing to its complexity and to its diffusion throughout a neighbourhood, city, region or nation.

8. A first point to consider is the meaning of the terms used: what effects of use are undesirable and which patterns are abusive? Under national law as well as under the international drug control treaties, a "narcotic drug" and a "psychotropic substance" are not defined in either the medical or scientific sense but rather in a legal sense as a substance included in a list determined by national or international law. At the same time, the use and possession of these specific substances are to be limited exclusively to medical and scientific purposes; misuse and abuse are, therefore, defined as illicit and are distinguished from the strictly medical use (i.e. medical administration or dispensing) by the legal status of the drug in question. Data contained in records of law enforcement agencies and of the judiciary will therefore only relate to unlawful use, whereas those from hospital emergency rooms will also include incidents caused by the use of substances that are not (or not yet) under control.

9. Secondly, what is to be measured and by what methods? Surveys of illicit drug use are often unreliable, owing both to users' fears of exposure and to the fact that certain user groups cannot be reached by means of survey techniques. Hence, assessment of drug abuse and misuse differs from the general epidemiological determination of a disease, because the assessment depends on both the definition and the measurement of the condition. In addition, owing to differences in statistical capability and approach as between countries, methods appropriate in one country may not be applicable in another.

Suggested courses of action

At the national level

10. The Ministry responsible for social questions, the Bureau of the Census and the national statistical service, in conjunction with other ministries concerned (e.g. Justice, Health, Interior, Labour) should together:

(a) Review present methods of data collection by statistical, medical and demographic services;

(b) Provide for the systematic collection of data on subpopulations of drug abusers from records of the police, courts, hospital emergency rooms, mental hospitals, psychiatric clinics, social security and welfare organizations, schools and universities, the armed forces, employers, trade unions, as well as community agencies, institutions and associations;

(c) Establish training programmes for personnel involved in the collection and analysis of data;

(d) Establish central records for storing, analysing and evaluating data;

(e) Determine drug abuse patterns in special groups and environments, such as boarding schools, army bases, prisons, hospitals;

(f) Determine, in respect of each type of drug of abuse:

- (i) The prevalence of active use (e.g. number of current users within a given period, say, the last year or the last month);
- (ii) Incidence of first use (e.g. number of new cases per year);
- (iii) Age at onset of use and the demography of users;
- (iv) Drug of abuse initially used and/or other drugs currently used;

(g) Establish machinery for monitoring trends of abuse and evaluating the effectiveness of instruments and preventive policies;

(h) Test periodically the validity of the methodology used.

11. The ministry or ministries concerned should undertake or sponsor studies to determine what connection (if any) exists between the frequency or gravity of drug dependence (or dependence on particular drugs) in specific population groups and their social, cultural and economic situation. The groups to be studied might include migrant workers, unemployed persons, illiterates or semi-literates and others, as appropriate in the national context. The results of the study should be brought to the attention of the agency or authority responsible for the social services that need to be mobilized in order to lessen the demand for drugs in the population groups in question.

12. Universities, research institutes and other academic institutions should conduct studies to determine the implications of present patterns of drug abuse in terms of predicted demographic developments.

13. If the Ministry of Health or other ministry concerned has reason to suspect, in the light of statistical or other data, that a change has taken place or is about to take place in the pattern of consumption of dependence-inducing drugs (e.g. a shift towards a newly "fashionable" drug among drug-users, or a marked rise in illicit demand in a particular locality), it should instruct its appropriate agencies to investigate the circumstances and possible causes of the suspected phenomenon promptly and to report back to the ministry with recommendations for dealing with the situation. In countries where an "early warning" system of this nature does not already exist, the ministry concerned should consider the establishment of such machinery if in its opinion the situation warrants it.

At the regional and international levels

14. Regional organizations should make comparative studies of drug abuse patterns in countries in the region and inquire into reasons for variations in drug abuse (patterns, methods etc.).

15. National focal points of States in the region concerned should share information on drug abuse and on methodologies for determining its prevalence, as well as exchanging experiences.

16. Regional organizations should establish training programmes for personnel engaged or about to be engaged in epidemiological surveys; expert knowledge available in the region should be used in the first instance for this purpose.

17. The United Nations Secretariat (Division of Narcotic Drugs), in association with WHO, should disseminate information on the experiences of States in developing an appropriate methodology for assessing drug abuse.
18. The Division of Narcotic Drugs should prepare and publish handbooks suggesting methodologies for collecting and analysing data on drug abuse.
19. The United Nations Fund for Drug Abuse Control should provide assistance to States, at their request, in support of their own efforts to carry out surveys of the extent and patterns of drug abuse and in training specialized personnel to collect, analyse and evaluate data.
20. Technical assistance in the planning and carrying out of epidemiological surveys should be provided to States by international organizations, such as WHO, and by countries with the necessary expertise.

Target 2. Organization of comprehensive systems for the collection and evaluation of data

The problem

21. Crude indicators of future trends in drug use and abuse are available from many sources, including the records of medical practitioners, hospitals, social insurance agencies, school administrators, police and courts. They should be taken into account, subject to respect for confidentiality, in the formulation of national policies intended to prevent abuse and reduce demand for the drugs in question.

22. To be useful to policy-makers, this information, which in general exists only in the records of the agency or person concerned, needs to be collected, collated and analysed, preferably by a system or machinery designed for this specific purpose, with particular emphasis on the consistency and comparability of national and regional data.

Suggested courses of action

At the national level

23. The Ministry of Health or other appropriate national authority should appoint a working group to devise simple, easy-to-use, reliable standardized instruments that may:

(a) Facilitate the gathering of common information about drug abuse from agencies concerned with different aspects of the abuse;

(b) Be used by all entities concerned for collecting basic descriptive data;

(c) Be used nationally as a foundation for epidemiological surveys (adapted from a suggestion by WHO).

24. At the local and national levels, a simple framework should be created for the collation of data sheets. The data should be made freely available, without disclosure of names or personal particulars to agencies and individuals involved in research and/or planning.

25. Field trials of the reliability and validity of any instruments should be conducted and independently analysed by appropriate researchers.

26. In addition to sponsoring measures and activities designed to reduce the illicit demand for drugs, the ministry concerned (Health, Education, Social Welfare, as the case may be) should inquire into the multiple possible causes of drug abuse and, as appropriate, recommend action for eliminating the causes, or at least the most serious of them. The inquiries might take the form of surveys of the social and family circumstances of drug-dependent persons or groups of such persons or persons at risk to drug abuse, their housing, employment, level of education and any other characteristic that may appear as a contributory cause of drug abuse (adapted from a comment by UNESCO).

27. In view of the constant evolution of the pharmaceutical industry, of continuing intensive research into the properties of newly discovered drugs and their effects on the human organism and of the risk of abuse, the Ministry of Health or other appropriate authority should make regulations or issue

orders (in so far as these do not already exist) directing local health authorities, medical practitioners, pharmacists, directors of educational establishments and research institutes to report to it promptly any case that has come to their notice of persons showing symptoms of incipient dependence on a newly or recently discovered drug or substance or on a pharmaceutical product, previously considered innocuous, which is found to possess narcotic or hallucinogenic properties. The Ministry or the authority concerned should consider whether the product or substance in question should be placed under control or, as the case may be, under stricter control.

At the regional and international levels

28. Standardized instruments developed by national working groups should be used as a common data-base for comparative studies (adapted from a suggestion by WHO).

29. Provisional data sheets for pilot studies should be drawn up in a selected sample of States; if found useful, such studies might be carried out in a larger number of countries.

30. Technical assistance might be made available for the purpose of standardized record keeping, making due allowance for the social and cultural setting in which instruments will be used.

31. The committees established in New York and at Vienna by international non-governmental organizations in consultative status with the Economic and Social Council that have an interest in the control of drug abuse and illicit traffic are invited to act as a clearing house of relevant information for dissemination to national non-governmental organizations concerned with drug abuse acting as focal points (from a suggestion by the Federal Republic of Germany).

32. In regions where the dimensions of illicit drug trafficking and drug abuse are very imperfectly known and where the laws and the practices of law enforcement agencies dealing with these illegal activities vary greatly from country to country, a unit at the headquarters of the regional commission might co-operate with existing specialized bodies of the United Nations system and other international organizations in identifying the needs of their member countries for strengthening drug control. If a regional commission originates regional projects for this purpose, consideration might be given to the granting of support for such projects from sources within the United Nations system (adapted from suggestions by ESCAP and ECA).

33. The Governments of countries in a region in which the illicit use of and traffic in drugs give rise to common concern, and in which, in their collective opinion, common action is desirable at the regional level for the purpose of warding off a worsening of drug abuse and illicit trafficking in these countries or in some of them, may wish to consider the establishment of a regional centre for scientific research and education that would contribute to the fight against drug abuse and illicit traffic (as envisaged in article 38 bis of the 1961 Convention).

Target 3. Prevention techniques in the educational system

The problem

34. Comprehensive and effective education programmes are a necessary part of measures for counteracting the increase in drug abuse worldwide. In many countries drug abuse has already spread to the various age and population groups. It is essential that all individuals in the formal and general education system, as well as their families, should be enlightened about the risks of drug abuse.

35. Curricula and programmes for enhancing the community's awareness should be so constructed as to strengthen the population's motivation to avoid drug abuse. Indications are that the impact of preventive education is greatest when it: (a) takes place in its appropriate social, economic and cultural setting; (b) is integrated into the overall framework of academic, social and cultural learning; (c) promotes a healthy drug-free lifestyle as a primary goal, as opposed to placing emphasis on abstinence from drugs and on the negative effects of drug abuse; and (d) reaches individuals before they are exposed to the drug sub-culture and other influences that contribute to initial drug use.

Suggested courses of action

At the national level

36. The Ministry of Education (or other ministry concerned) should establish a multidisciplinary unit to perform such functions as:

(a) Prescribing or recommending for all levels of educational institutions drug abuse prevention curricula and instructional materials, taking into account cultural values and traditions and culture and emphasizing the benefits of a healthy drug-free lifestyle;

(b) Preparing training materials and programmes for teachers and school counsellors that will enable them to instruct their students in the advantages of a drug-free life;

(c) Preparing basic information publications on drug abuse, and acting as a focal point for the collection, collation and dissemination of information about drug abuse;

(d) Undertaking periodic evaluations of the curricula and publicity material in question to determine their effectiveness, and making adjustments as necessary.

37. The Ministry should formulate a school policy on drug abuse, its implementation to be monitored by a joint group of teachers, students and parents. In particular student leaders should be encouraged to develop attitudes and activities in their schools and communities aimed at preventing drug abuse.

38. School boards and authorities responsible for private and denominational schools should similarly formulate school policies on drug abuse, consonant with their curricula, and develop training and instructional material for classroom and related community use.

39. School counsellors should be given training to advise students and parents about the dangers of drug abuse.

40. The Ministry of Health, in conjunction with the Ministry of Education or other appropriate authority, should issue instructions directing institutions responsible for training persons for a profession in which they will be concerned with the prevention or treatment of drug abuse (social workers, police, medical practitioners, paramedical personnel) to include in their curricula or programmes of study a course specially designed to enable such persons to recognize and deal with cases of drug abuse (adapted from a suggestion by WHO).

41. In view of the vulnerability of young persons to the temptations offered by certain narcotic and psychotropic substances and to the solicitations of "drug pushers", the Ministry of Education or other appropriate authority should establish publicity and educational programmes to alert young people and society in general, particularly in urban areas, to the dangers with which the consumption of dangerous, habit-forming and dependence-producing substances is fraught: disruption of family and social life, health risks, impairment of intellectual capability, perversion of moral values, antisocial and criminal behaviour.

42. The Ministry of Health should consider favourably the idea of establishing a small body composed of experts, representatives of agencies and other persons familiar, through their research or professional activity, with the situation as regards drug abuse in the country (e.g. teachers, social workers, members of the police force and others) who would be given the mandate to design a programme (where it does not already exist) intended specifically to reduce or restrain the illicit demand for drugs in a particular population group. The programme should make provision for the training of specialized personnel to be deployed at the national and local level for the purpose of implementing demand-reducing schemes (adapted from a suggestion by WHO).

At the regional and international levels

43. Regional bodies should consider establishing regional training and information centres for individuals involved in designing curricula, in order to evaluate and develop teaching techniques consonant with the cultural patterns of the region.

44. UNESCO might, at the request of Governments, play a part in the development of curricula that make specific provisions for instruction in the prevention of drug abuse.

45. In cases where projects with an educational content are envisaged for the purpose of preventing and reducing the illicit demand for drugs, the Government or regional or international bodies sponsoring or initiating the projects may, if they lack funds, apply to the United Nations Fund for Drug Abuse Control for support.

46. Where large groups of refugees are receiving care (including health and educational care) from an intergovernmental organization and where cases of drug abuse have been noted among them, the organization concerned should investigate such cases and ascertain their frequency and gravity and, in the light of the information, issue warnings of the dangers of drug abuse (especially among the young) within the refugee population and, if possible, undertake an educational and therapeutic programme for refugee groups at risk (adapted from a suggestion by the United Nations Relief and Works Agency for Palestine Refugees in the Near East).

55. Persons performing transport, security or other sensitive functions should be required to undergo suitable testing for the presence of drugs before they are recruited and at regular intervals thereafter.

At the regional and international levels

56. The Governments of countries in a region should, through the ministries concerned or through regional bodies, identify regional resources for training and programme development. They should organize regional seminars, as necessary, for the exchange of experiences and dissemination of relevant information (adapted from a suggestion by the ILO).

57. The ILO might co-ordinate international efforts to prevent and reduce drug abuse in the workplace, for example by distributing multimedia resource kits for the promotion and implementation of programmes to control, prevent and treat drug abuse in the workplace and to rehabilitate former drug abusers in employment; it might in addition monitor the use of these kits and the results thereof (adapted from a suggestion by the ILO).

Target 4. Prevention of drug abuse in the workplace

The problem

47. The multiple and harmful consequences associated with drug abuse in the workplace and in occupational activities include deterioration of productivity and performance, defective products, loss of qualified employees, accidents, loss of income and professional disqualification, all of which are costly to the employer, the individual and the community.

48. Drug abuse by individuals in sensitive occupations (e.g. the military, and crews of aircraft and ships) can result in disaster. Measures for dealing with drug abuse in the workplace and in occupational activities must have a significant prevention component.

Suggested courses of action

At the national level

49. With a view to preventing or reducing drug abuse in the workplace, the Ministry of Labour or other ministry or authority concerned should:

(a) Publicize information in the workplace warning of the risks of drug abuse;

(b) Set up national training workshops for supervisors, programme developers and others.

50. The Ministry of Labour (and/or Health, Social Welfare) or other appropriate authority, after consulting the parties concerned, should issue guidelines drawing the attention of employers and workers and of their organizations to the resources, in the form of publicity material, information through the media etc., that can be made available to them in connection with programmes for preventing or reducing drug abuse in the workplace, and for treating and rehabilitating of drug dependent persons, on the lines of a model being developed by the International Labour Office (adapted from a suggestion by the ILO).

51. In cases where an employer, whether in the public or in the private sector, stipulates in an announcement of vacant posts that only candidates who are proved not to be drug users will be considered for recruitment, such announcement should be deemed not to contravene any anti-discrimination legislation in force in the country concerned. Similarly, a clause in a contract of employment which stipulates that drug use in the workplace may render the drug user liable to disciplinary measures, suspension or possibly dismissal should not be deemed to be incompatible with the labour legislation in force.

52. Professional and occupational associations (medical, law, sports, performing arts) should develop drug abuse prevention programmes for their members.

53. Employers' and employees' associations should develop joint action programmes for their memberships with a view to discouraging drug abuse.

54. Medical authorities and medical laboratories should design reliable testing methods for the purpose of determining the presence of drugs in the human organism, identifying drug users and ensuring the safety of the public.

Target 5. Prevention programmes by civic, community and special interest groups

The problem

58. The support and involvement of community organizations are indispensable in counteracting the harmful factors that foster drug abuse. Community organizations are best situated to detect drug abuse and its consequences and to identify groups at risk. Moreover, these organizations are aware of the needs, resources and goals of their members.

59. Hence, the local community should not only adopt drug abuse prevention as part of its basic goals but should also be fully conversant with the objectives of national prevention programmes and should initiate or participate in the formulation and implementation of such programmes.

60. Most community activities are voluntary. Effective co-ordination is therefore required to ensure that community projects and activities for preventing drug abuse are consistent with the national plans for drug abuse prevention, and they should be periodically evaluated for efficacy.

Suggested courses of action

At the national level

61. All civic groups, such as Lions Clubs, Soroptimists, Kiwanis, Zonta, Girl Guides and Boy Scouts, should prepare and disseminate to their members information drawing attention to the dangers of drug abuse.

62. National voluntary agencies, religious groups, political parties, civic organizations, parent-teacher associations, and other community-wide associations should make a point of publicizing the risks of drug abuse.

63. Community activities should emphasize the importance of positive cultural values that enhance the quality of life without drug abuse.

64. Channels of communication should be established by community organizations with representative target groups in order to achieve a better understanding of the effects of drug abuse (e.g. hotlines, peer group counselling).

65. The ministry concerned (Justice, Interior, Education, Finance, as the case may be) should consider sponsoring and, if necessary or desirable, supporting with financial or other resources the participation of representatives of certain law enforcement agencies in activities aimed at informing the public or specific sectors of the public about what is being done and could be done to prevent drug abuse. Representatives of the agencies in question (police, customs service, judiciary) might give talks describing their operations against drug abuse, suggesting how the community, the family and educational establishments should contribute to the campaign against drug abuse and indicating the willingness of the agencies to co-operate in local initiatives to enlighten the population about the dangers of drug abuse. Similarly, the national authorities responsible for monitoring the manufacture and distribution of pharmaceutical products, in association with the representative organization of pharmaceutical manufacturers, should participate in such campaigns.

At the regional and international level

66. Regional meetings of various civic groups should be periodically convened to exchange information on action that has improved community activities for the prevention of drug abuse.

67. The law enforcement agencies of countries in the same region should be encouraged to co-ordinate their regional activities for the purpose of conducting a campaign against drug abuse at the regional or international levels, for example by participating in regional meetings dealing with drug abuse and its prevention or by undertaking other joint efforts to curb drug abuse and illicit trafficking. Similarly, these agencies should be encouraged to enter into or broaden contacts with counterparts in countries outside the region, with a view to planning world-wide activities to counter drug abuse. International intergovernmental organizations such as ICPO/Interpol might have a useful role to play in arranging such contacts.

68. International non-governmental organizations should:

(a) Be encouraged to collate and disseminate information on national and regional activities of their constituent organizations;

(b) Facilitate discourse between their constituent national organizations and other non-governmental organizations concerned on community action that has had some success;

(c) Help their constituent organizations to formulate programmes that would give effect to recommendations by international bodies concerning the prevention of drug abuse;

(d) At their own request, be given the support of the United Nations and the specialized agencies concerned in carrying out programmes for the prevention of drug abuse.

Target 6. Leisure-time activities in the service
of the campaign against drug abuse

The problem

69. It is in the community's interest to ensure that leisure time is used constructively. A wide range of activities, such as community service and sporting and cultural activities, should provide alternatives to drug abuse for the various social groups, particularly for the young, the elderly and the disabled. Moreover, leisure-time activities can exert a positive effect on individuals, as they improve social adaptation and tend to develop skills, talent and a sense of responsibility.

70. If alternative activities are to be in any way successful, target groups must be motivated and encouraged to participate. This is particularly important in areas of high unemployment and youth unemployment, and for risk groups living in isolation, such as suburban housewives and the elderly.

71. While community groups should initiate and design leisure-time activities, government support in the provision of resources, facilities and materials is often necessary. At the same time, such support tends to ensure a reciprocal flow of information.

Suggested courses of action

At the national level

72. Within the resources available, local government authorities should provide facilities, materials and funding to promote drug-free leisure-time activities.

73. Community groups should review the existing range of leisure-time activities and develop programmes tending to promote wholesome and drug-free cultural and sporting activities. They should in addition make sure that those responsible for organizing cultural and sporting events, and the participants themselves, abstain from any action that might, explicitly or implicitly, give the public a misleading impression of the nature of drug abuse.

74. The Ministry of Transport or other appropriate authority should issue directives requiring public and private travel agencies, operators of transport undertakings and other bodies concerned with passenger travel and tourism to refrain from publishing or disseminating material advertising, overtly or surreptitiously, the easy availability of narcotic or psychotropic drugs in any particular country or area (adapted from a suggestion by WTO). The Ministry or authority should also consider posting notices at official points of entry into the country, warning travellers of the penalties applicable in respect of illicit dealing in drugs.

At the regional and international levels

75. Sporting and cultural organizations of countries in the region, in co-operation with the ministries concerned, should promote and expand sporting and cultural exchanges.

76. Information on local drug laws should be included with information for travellers on tourist activities (available, for example, at international borders and in hotels and youth hostels).

Target 7. Programmes undertaken through public information media

The problem

77. The mass media reach a vast audience every day. While the media's potential contribution to the campaign for preventing drug abuse is enormous, their publications and broadcasts can also be damaging and counterproductive. The use of inaccurate or misleading terminology regarding narcotic drugs and psychotropic substances and their properties, such as the artificial distinction between so-called "hard" and "soft" drugs, the glamorizing of drug abuse in songs, movies and other commercial products, the emphasis given in reports of the street value of seizures to the enormous profits to be made from the illicit drug traffic, and the association of drug use with the names of successful or famous persons - all these can lead to false perceptions and can flaw the individual's powers of judgement.

78. Poorly designed campaigns to prevent drug abuse may also have the opposite effect from that intended, by arousing curiosity and inducing, rather than preventing, undesirable behaviour.

Suggested courses of action

At the national level

79. The Ministry concerned with broadcasting, the film industry and other media, if it has not already done so, should draw up guidelines in the form of a code of conduct to be observed voluntarily by the public and private enterprises concerned in portraying or representing any event or incident involving the use of drugs. In addition, it may wish to recommend the observance of any guidelines of like nature that have been approved in an international forum (adapted from a suggestion by WHO).

80. In addition, and in so far as it has not already done so, the Ministry concerned should:

(a) Invite or, as appropriate, instruct local and central agencies responsible for drug control to designate, in the particular territory or area, a person or group of persons to act as liaison with the media and to provide the media with information and advice about drug abuse;

(b) Encourage programme planners to consult the media on the portrayal of drugs and drug abuse in the broadcasting of drama and news items;

(c) Through its agencies, enrol the media in co-operative efforts to reduce the illicit demand for drugs (adapted from suggestions by WHO).

81. Media executives should be brought into partnership with government and the community and invited: (a) to assist in the formulation of programmes in support of preventive policies and efforts; (b) to provide factual and honest information on drug abuse; and (c) to formulate programmes that promote cultural values and a healthy lifestyle.

82. All means of communication and, in particular, the mass media, whether in the public or in the private sector, should be invited to participate in a concerted campaign by nation-wide and local authorities and community groups to enhance the public image of a drug-free life, to disparage the drug-taking habit that has spread to certain classes of society, to induce all population groups to become health-conscious and to realize the hazards associated with

drug abuse, and to urge parents, teachers, community leaders and persons in public life to set an example by abstaining from drug abuse.

83. The Ministry of Social Welfare or other appropriate authority should consider establishing channels of communication through which suggestions or recommendations might be addressed, informally and without implying any interference that might smack of censorship, to persons or bodies responsible for the management of radio or television broadcasting or other mass media. Such suggestions and recommendations might point out, inter alia, the desirability of broadcasting or printing reports that stress the success of former addicts in ridding themselves of the drug habit and in escaping from a semi-delinquent social group, or that stress the achievements of persons who have never used drugs.

84. In countries where several languages are spoken and understood, the Ministry of Health, in conjunction with any other ministries or authorities concerned, should ensure that warnings about the harm caused by drug abuse are disseminated or prominently displayed on public premises and in schools, youth and sports clubs etc. in the various languages used in the country.

85. In countries with a high rate of illiteracy, the ministry concerned should consider publicizing such warnings by visual or graphic means, e.g. posters, photographs etc., or by sending representatives of the public health service to rural areas to spread the warning by word of mouth. Alternatively, the Ministry may wish to use the good offices of "grass-root" organizations for this purpose.

86. In view of the vital importance of information in planning and carrying out a programme to restrain and reduce the illicit demand for controlled drugs, the Ministry of Health or other appropriate authority should publish notices, leaflets, pamphlets or other material soliciting information from all sources (including those not in the health system) that may lead to the discovery of cases of illicit demand and eventually contribute to the formulation of programmes for curbing this demand (adapted from a suggestion by WHO).

87. Both girls and boys need to be warned of the sinister links between illicit drug traffic and prostitution, to which they may succumb if they cannot satisfy their craving for drugs in any other way. Both mothers and fathers may need instruction in ways of preventing their children from becoming drug abusers, and of weaning themselves from drug abuse if they have contracted the habit.

88. The elderly and disabled who rely on certain medicaments, including psychotropic substances, for the relief of pain, depression and infirmities may abuse or over-use such medicaments out of ignorance or when suffering from anxiety and may thus become habituated to them. A programme of education aimed specifically at such persons, through the media or otherwise, will alert them to the risks of excessive consumption of the substances in question. In addition, members of the medical and paramedical professions must be directed by the appropriate authorities to observe caution in prescribing and dispensing such medicaments for elderly and disabled persons.

At the regional and international levels

89. Where radio and television broadcasts are subject to regulation or supervision, the Ministry or other authority concerned should ensure that the broadcasts do not offend the rules (if any) governing the dissemination of

information concerning drugs in other countries in the region. If they consider it advisable, the relevant ministries or authorities of countries in the region may confer with a view to working out agreed guidelines concerning such broadcasts (adapted from a suggestion by WHO).

90. UNESCO should be requested to organize discussions between the media of different countries in cases where it is proposed to broadcast or disseminate reports or material from one country in another country, with a view to ensuring that such broadcast or dissemination does not prejudice the other country's drug prevention activities.

91. Periodic meetings of journalists and media executives from different countries should be organized by the professional organizations concerned to exchange views on the portrayal of drug abuse in the media.

II. CONTROL OF SUPPLY

Introduction

92. A most important achievement of the international community in controlling the supply of drugs has been the development of a system for the international control of the cultivation, production, manufacture and use of and international trade in opium, morphine and other opium alkaloids, their semi-synthetic derivatives (such as heroin), precursors (such as thebaine) and synthetic substitutes or congeners (such as methadone), as well as the coca and cannabis plants and products and derivatives thereof. The object of the system is to achieve a world-wide equilibrium between demand for and supply of drugs for legitimate purposes and to prevent their diversion to illicit channels.

93. In view of the huge growth in illicit demand for opiates in many countries in the last two decades, an illegal heroin "industry" has developed, involving illicit or uncontrolled opium poppy cultivation and the illegal production and distribution of opium, heroin and other opiates. A complicating factor is the fact that opiates have a recognized medical value and that no adequate substitutes have as yet been approved for certain applications. Consequently, the international control system provides for restricted cultivation of limited amounts of the opium poppy carefully calculated to correspond to the estimated annual medical requirements of each State.

94. The eradication of illicitly cultivated opium poppy, coca bush and cannabis plants is a complex undertaking, because they are often grown in remote areas, or in areas beyond effective government control. Additional complications arise because in some developing countries these crops sometimes provide supplementary sources of livelihood for the rural population.

95. Cocaine differs in that its use in medical practice is minimal and therefore the large-scale cultivation of the coca bush serves no legitimate purpose. The illicit or uncontrolled growth of the coca bush has created grave problems for States in the Andean region, and burgeoning demand has given rise to illicit traffic and marketing networks in this and other regions.

96. There are at present no recognized uses in modern medicine for cannabis and its products, such as cannabis resin (hashish), extracts and tinctures of cannabis. Except for a transitional period and in specific circumstances it is universally illegal to cultivate the cannabis plant for the production of drugs.

97. Since the 1940s, advances in organic chemistry have resulted in the development of a wide range of synthetic medicaments acting on the central nervous system, and the use of many of them has been found to result in drug dependence. The response of the international community has been to devise progressively a system of control for psychotropic substances similar to that for narcotic drugs, but in view of the diversity of these manufactured substances and their wide applicability and also because the 1971 Convention is a relatively recent instrument, this system of international control has not evolved to the same levels of acceptance and enforcement. While some voluntary measures have been developed that have to some extent alleviated the difficulties, the international control mechanisms as regards these substances are still rudimentary. As a result, diversions from the licit manufacture of certain psychotropic substances under international control and the illicit manufacture of some of them pose a serious threat to the well being of the public and a challenge to law enforcement authorities.

Target 8. Strengthening of the international system of control of narcotic drugs and psychotropic substances

The problem

98. Under article 19 of the 1961 Convention, a State party to the Convention is required to provide to INCB an annual estimate of the actual amount of narcotic drugs required during the following calendar year. A large number of States have, in addition, undertaken on a voluntary basis to provide similar assessments with respect to psychotropic substances under international control. In many countries, the national authority concerned, such as the Ministry of Health, encounters difficulties in estimating the actual amounts likely to be needed in the ensuing calendar year; some national estimates submitted to INCB repeat the same figure year after year. In other cases estimates have been provided on the basis of information provided by national pharmaceutical producers or by pharmaceutical companies, which tend to reflect an over-generous appraisal of market potential or excessive prescribing by medical practitioners, or both. An improved methodology for more accurate forecasting of requirements for therapeutic use of narcotic drugs and psychotropic substances is therefore needed to achieve a world-wide balance of supply and demand. Other action to limit the supply of drugs might with advantage, and for the benefit of the public, include research to determine the truly useful therapeutic applications of a number of the substances currently being manufactured and prescribed.

Suggested courses of action

At the national level

99. The national drug control authority and/or, as appropriate, the Ministry of Health, should gather systematic detailed information on the actual therapeutic use of narcotic drugs and psychotropic substances and their preparations from physicians, hospitals, clinics, pharmacists, academic institutions and the pharmaceutical industry as well as from individual manufacturers.

100. The Ministry of Health, in association (as appropriate) with social security agencies, should make a study of the incidence or prevalence of the diseases treated by the preparations in question.

101. Professional associations, private foundations and academic institutions, in co-operation with the pharmaceutical industry, should be invited to study the effect of alternative treatments, which may replace the use of some psychoactive drugs by the use of non-narcotic or non-psychotropic substances.

102. The Ministry of Health or other appropriate authority should consult the professional organizations of the medical and paramedical professions, associations of pharmaceuticals manufacturers, and scientific research institutes concerning the possibilities of replacing controlled drugs at present being manufactured and used by other products that have the same effect without being dependence-producing in therapeutic applications.

103. Manufacturers' associations should urge their members to assist the national drug control authority by providing it with data on the quantities actually delivered by manufacturers and distributors to individual bulk consumers.

104. The national drug control authority, in collaboration with the professional association of pharmacists and social security agencies, should systematically collect the figures of actual sales of drugs by retail pharmacies.

105. In countries that possess the necessary technological and other resources, the Ministry of Health, in consultation with the authority responsible for communications, law-enforcement agencies and other appropriate bodies, should institute a system for monitoring by means of computers and other devices the movement of drugs in the national territory, from the point of manufacture or importation to the point of dispensing in pharmacies, hospitals or offices of medical practitioners (based on a comment by Australia).

106. Where the Ministry of Health or other ministry concerned has issued guidelines or directives applicable to the pharmaceutical industry, or where the industry itself is committed to observing a code of conduct, the Ministry and the industry should specify in the relevant provisions, inter alia, that persons to be employed in the industry, in particular in the marketing of its products, ought to attend, before recruitment or before deployment in the marketing service, a course of training, one of the objects of which should be to warn them against the use of excessive zeal in advocating the administration of dependence-producing drugs by medical practitioners. The Ministry should supervise compliance with such provisions and request or direct the industry to report periodically on the organization and content of such courses.

107. The national drug control authority, in association with census and population forecasting services, should determine the trends in the use of drugs over preceding years and work out projections of their use for the coming three-year period.

At the regional and international levels

108. The regional bodies concerned might carry out comparative studies, to be co-ordinated by WHO, of therapeutic practice in various countries with similar characteristics (such as population, health services and climate), and investigate the reasons for variations in drug use.

109. WHO might carry out comparative studies of normal indications for medical use of narcotic drugs and psychotropic substances and their preparations in various countries with similar characteristics.

110. WHO might sponsor analytical studies of national experiences of the way in which various drug supply systems affect the delivery of drugs.

111. The donors of bilateral and multilateral assistance should consider favourably requests by States for financial and other support (including expert advice) for efforts to improve or strengthen the system of controlling the distribution of drugs, paying due regard to the WHO Essential Drugs Programme. Such assistance can in the first instance be obtained by State authorities through technical consultations with the secretariats of INCB and WHO. States could also, through normal technical co-operation channels, request expert assistance, with possible financial support from the United Nations Fund for Drug Abuse Control.

112. Expert meetings should be organized in various regions, on request, by INCB in association with WHO, for the purpose of exchanging experiences in the methodology of forecasting and record-keeping with respect to drug use.

113. The United Nations should publish manuals describing the methodology for estimating requirements of drugs and containing instructions for the use of the model forms in the official languages of the Organization.

114. The international bodies concerned, in particular WHO, should consider favourably requests by national authorities for assistance in strengthening or establishing a pharmaceutical control agency, under the Ministry of Health or other authority concerned, for monitoring the manufacture, dispensing and distribution of substances under control.

115. In so far as an increase in drug abuse or illicit trafficking is held to be the direct or indirect consequence of the non-participation of States in the international system of drug control, the United Nations bodies concerned may draw the attention of the international community to gaps noted in the administration of the system and call for the strict observance of the relevant provisions of the 1961 and 1971 Conventions and for the early conclusion of the new convention against illicit traffic in narcotic drugs and psychotropic substances, the draft of which has been submitted to the Commission on Narcotic Drugs (see E/CN.7/1987/2) (adapted from a comment by Australia).

Target 9. Rational use of pharmaceuticals containing
narcotic drugs or psychotropic substances

The problem

116. There is evidence that the supply of essential narcotic drugs and psychotropic substances is not always adequately assured in every country. It is incompatible with the spirit and letter of international drug treaties and with the WHO goal "Health for All by the year 2000" to deprive patients of the necessary and appropriate drug therapy. The identification of national needs and the assurance of an adequate supply of essential drugs are a first priority in any system of health care. At the same time, the irrational use of all drugs, including narcotic drugs and psychotropic substances, should be avoided.

117. There are indications that most of the prescriptions for psychotropic substances are made out by general practitioners and not by psychiatrists; psychotropic substances are frequently prescribed for the treatment of undiagnosed symptoms, in many cases without consultation. Treatment with psychotropic substances for a period longer than a few weeks and the automatic repetition of prescriptions for these drugs are widespread.

118. The rational use of psychotropic substances is frequently hindered by the lack of sound unbiased information on their use. National health authorities do not regularly keep health professionals informed and control over the manufacturers' promotional activities (manufacturers' brochures, advertisements, sales representations etc.) may be too lax or even non-existent. The monitoring of the prescribing and consumption of these substances is in many countries poorly organized. There is a need for better statistics and internationally comparable data for the comparative study of trends in the prescribing and consumption of drugs. There have been reports of cases of false labelling and defective quality of pharmaceutical substances entering international trade; it should be noted that narcotic drugs and psychotropic substances are not the only substances to be involved. The problem at all events is that many countries are not adequately equipped with pharmaceutical quality control laboratories to detect such cases.

Suggested courses of action

At the national level

119. The Ministry of Health should specify the narcotic drugs and psychotropic substances which are essential for drug therapy in general and for primary health care in particular.

120. The Ministry should issue guidelines on the rational use of narcotic drugs and psychotropic substances for the use of health professionals and primary health care workers. In addition, it should control any publicity promoting sales of drugs in the country and forestall the dissemination of false and misleading information about the drugs in question.

121. The Ministry should conduct, or initiate, studies envisaging the monitoring of trends in the prescribing and consumption of psychotropic substances. To improve data collection and analysis, the Ministry and professional organizations concerned should make use of the WHO Anatomic-Therapeutic-Chemical Drug Classification System and the Defined Daily Doses measurement techniques.

122. For the detection of falsely labelled or low quality pharmaceutical preparations, either imported or locally manufactured, containing narcotic drugs or psychotropic substances, national pharmaceutical quality control laboratories should be established or strengthened, as necessary.

123. The Ministry of Health or other appropriate authority should negotiate with the pharmaceutical industry or its representative organization the conclusion of a code of conduct (if one is not already in existence) to be observed by the industry and by members of the organization as regards any printed or other material publicizing their products, advertisements published or broadcast through mass media and other methods of promoting sales of their pharmaceutical products. The code should make provision for disallowing any exaggerated claims about the stimulative or restorative properties of pharmaceuticals that might tempt drug abusers or potential drug abusers (based on a comment by Australia).

At the international level

124. WHO should revise and update the WHO model list of essential drugs, in so far as it concerns narcotic drugs and psychotropic substances.

125. WHO should be invited to prepare and publish model guidelines on the rational use of pharmaceutical preparations containing narcotic drugs and psychotropic substances.

126. WHO should consider the possibility of co-ordinating studies of drug use, and WHO, INCB and the Commission on Narcotic Drugs should consider how the information resulting from such studies might be reflected in recommendations for strengthening the control of the supply of drugs.

Target 10. Strengthening the control of international movements of psychotropic substances

The problem

127. There is evidence that some lawfully manufactured psychotropic substances are frequently diverted into illicit channels, and the provisions of the 1971 Convention are not adequate to prevent this form of illicit traffic. There are cases in which authorizations for the import of Schedule II psychotropic substances have been falsified and doubts have been cast on the efficacy of the declaration system provided for Schedule III substances. In the absence of an "estimates" system, the only mechanism available to States parties to protect themselves against unwanted shipments is the prohibition in article 13 of the Convention. This situation and the inadequate implementation of some provisions of the Convention or the absence of national controls in some countries often make the control of the movement of psychotropic substances illusory.

Suggested courses of action

At the national level

128. With a view to reducing the supply of certain psychotropic substances that are or may be dependence-producing, the Ministry of Health or other appropriate authority should make regulations also bringing under control (in so far as it has not already done so), by means of the system of import and export authorizations, the substances specified in Schedules III and IV of the 1971 Convention, or substances (precursors) that are required for the manufacture of such substances (see target 12).

129. Where medicaments containing drugs or substances under international control are donated by philanthropic bodies for emergency relief, the authorities concerned in the recipient and exporting countries should require that they be notified of such consignments, in order that action may be taken to forestall the risk of possible diversion to illicit channels.

At the international level

130. The parties to the 1971 Convention should consider the possibility of adding to the Convention provisions contemplating the transformation into mandatory measures of the hitherto voluntary measures recommended by INCB 3/ and endorsed by the Economic and Social Council (resolution 1985/15) concerning:

- (a) The assessment of legitimate annual needs for Schedule II substances;
- (b) The quarterly reporting of the international trade in substances in Schedules II and III;
- (c) The monitoring by exporting countries of shipments of Schedule IV substances.

131. The parties to the 1971 Convention should consider amending the Convention by introducing a provision to the effect that countries exporting substances in Schedules II and possibly III should communicate copies of the export authorizations to the authorities of the importing country well before the date of shipment, for purposes of verification.

132. The States parties should consider making more general use of the notification procedure provided for in article 13 of the 1971 Convention.

133. Countries that import psychotropic substances, and that need help, should seek assistance from the secretariat of the International Narcotics Control Board, the Division of Narcotic Drugs and the United Nations Fund for Drug Abuse Control in establishing or strengthening national control services.

Target 11. Action related to the increase in the number of
controlled psychotropic substances

The problem

134. The number of substances in Schedules III and IV of the 1971 Convention that are used as medicines rose from 15 (in 1971) to 60 (in 1986), a fourfold increase. The continuing review process engaged in by WHO will no doubt lead to the addition to the schedules of an even greater number of medically used substances, and the marketing of new psychoactive drugs will necessitate a further extension of the scope of control. There is a genuine need for new psychotropic drugs, and this is one of the reasons for the dynamic psychopharmacological research activities being undertaken. About 16 per cent (138) of the 876 drugs launched in 1985 were psychopharmaceuticals, and pharmaceuticals still in research and development were estimated to account for about 21 per cent (851 out of 3,962). Consequently, the list of pharmaceuticals (mainly hypnotics and tranquillizers) will grow even longer in the future. It would be unrealistic to expect that all of these future drugs will be used without the risk of abuse and dependence.

135. The majority of the substances in Schedules III and IV are not real "street drugs" and their abuse can be prevented by pharmaceutical control methods without recourse to law enforcement measures. In countries with developed pharmaceutical control services, the control of the entire pharmaceutical supply system can be made more effective. This national pharmaceutical control constitutes the basis for the control of these substances. By contrast, in countries where the pharmaceutical control system is inadequate, it is practically impossible to control pharmaceuticals.

Suggested courses of action

At the national level

136. The Ministry or authority concerned, in co-operation with the pharmaceutical industry and with the support of the medical and paramedical professions and pharmacists, should endeavour to work out agreed guidelines for improving prescription and dispensing practices.

137. The authority responsible in exporting countries for supervising the export trade in controlled substances should, wherever possible, be empowered to require exporters of such substances, particularly in case of consignments to developing countries of substances in Schedules III and IV, to give advance notice of such consignments in order that the authority may verify, if necessary in consultation with the counterpart authority in the receiving country, that the quantities of the substances involved are genuinely required for medical purposes.

At the international level

138. The Commission on Narcotic Drugs, in consultation with WHO, should consider recommending the possible modification of the provisions of the 1971 Convention that do not directly serve the purpose of preventing abuse at the national level and diversion and illicit traffic at the international level, in order to alleviate the administrative burden arising from the substantial increase in the numbers of medically used substances in Schedules III and IV of the 1971 Convention.

139. The secretariat of INCB, the Division of Narcotic Drugs, WHO and the United Nations Fund for Drug Abuse Control should consider giving joint assistance (if requested) to countries whose pharmaceutical control services are inadequate, in order that these services may be capable of ensuring the control of the manufacture, import, distribution, prescribing and dispensing of psychotropic substances.

Target 12. Control of the commercial movement of precursors,
essential chemicals and equipment

The problem

140. The continuing increase of the amounts of drugs being illegally processed and manufactured has made it all the more necessary to watch the movement of the precursors, specific essential chemicals, other materials and the sophisticated tableting, encapsulating or other special equipment required by the illicit laboratories. The prompt reporting of suspect movements of such items would make it easier to discover and catch traffickers. Seizures of illicit consignments would also reduce their availability for illicit manufacture. These items are, however, also traded and required legitimately in large volumes and the shipments should therefore be monitored in such a way as to interfere as little as possible with legitimate commerce. In any case, the number of precursors and chemicals involved is relatively small so it should not be too difficult for Governments to concentrate their attention on these few items.

Suggested courses of action

At the national level

141. Legislation should be enacted requiring all exports of such items to be descriptively and accurately labelled and recorded in the exporter's records. A record giving full particulars of the consignee should also be required. The legislation should also include a requirement that orders which manifestly exceed or are suspected of exceeding legitimate requirements - particularly if the order in question originates in a country where illicit manufacture is known to take place - be promptly reported to the appropriate drug law enforcement agency by the manufacturer. If illicit, the shipment should be seized by the authorities of the country of origin. Such excessive orders should also be notified promptly to the country of destination and to INCB.

142. The Ministry of Trade and Commerce or other appropriate authority should maintain a list of the companies within the national territory that manufacture such items, or tableting or encapsulating equipment, and should ban exports of materials which, according to information received from the country of destination, would exceed the latter's legitimate requirements.

143. In any country where illicit manufacturing of drugs occurs, the authority concerned should make regulations prescribing a system of licensing and quotas for the importation and supply of materials and equipment that could be used for such illicit manufacture. If an import order for such items should appear suspect, the said authority should promptly notify the country in which the consignment originates. For the purpose of giving full effect to such regulations, the authority should arrange special training for customs and other law enforcement personnel.

144. States should observe and give full effect to the principles embodied in the proposed new international convention which deals with this subject and implement the resolutions on this subject adopted by the Economic and Social Council and the Commission on Narcotic Drugs, pending entry into force of appropriate international treaty provisions.

At the regional and international levels

145. The government agencies concerned should exchange information regularly and systematically, if necessary through informal channels, with counterpart agencies in other countries about suspect movements of or transactions in

materials and equipment of the kind referred to above. Where appropriate, the technique of controlled delivery might be employed for the purpose of detecting the principals implicated in illicit manufacture of drugs (see also target 18).

146. Joint training courses for customs and other law enforcement officers should be organized by ICPO/Interpol and CCC to familiarize them with the nature of the substances involved and the techniques and modus operandi used by traffickers.

147. Governments may wish to consider entering into bilateral or multilateral agreements for the purpose of facilitating exchanges of information and co-operation in this field. In this connection, those negotiating the new draft convention against illicit traffic in narcotic drugs and psychotropic substances should insert in that instrument clauses making provision for such exchanges and co-operation at the international and regional levels.

Target 13. Control of analogues of substances under international control

The problem

148. Researchers endeavouring to develop a new substance usually identify and study a range of products that have comparable properties but differ slightly in their molecular structure (analogues). They finally select, after a long screening process, the product thought to be the most effective for specific cases and having the least secondary effects. Narcotic drugs and psychotropic substances that are under national and international control are identified by their chemical formulae. Their analogues, which have not been authorized and are not marketed, though having similar properties, are not therefore controlled either by national law or under the international drug control treaties.

149. Unethical chemists have, in recent years, produced and distributed through irregular channels some very potent analogues of controlled substances (also referred to as "designer" drugs) in order to circumvent drug laws. These analogues not only pose a serious challenge to drug control, but are highly toxic, contain by-products and impurities and entail a serious threat to health and even to life.

Suggested courses of action

At the national level

150. The Ministry of Health or other appropriate authority should be empowered by the legislative authorities:

(a) To take emergency action to place under provisional control, with immediate effect, the most dangerous and highly abused analogues of controlled substances;

(b) To take such action whenever a new analogue is detected on the illicit market.

151. The Ministry of Justice or other appropriate authority should prepare draft legislation making it a punishable offence:

(a) To manufacture with the intent to distribute analogues of controlled substances;

(b) To distribute such analogues.

At the international level

152. WHO, in collaboration with the pharmaceutical industry, should as soon as possible review the whole range of analogues of controlled substances with a view to determining whether it would be appropriate to recommend to the Commission on Narcotic Drugs that such analogues be placed under the same control régime as their parent substance, whenever analogues having dependence-producing properties can be identified. Pending such review, any Government having knowledge of a new dependence-producing analogue should promptly notify the Secretary-General accordingly, with a request to communicate the information to other Governments and to WHO.

153. The Commission on Narcotic Drugs may wish to act on the recommendation by INCB in its report for 1985, 4/ that action be taken at the international level to control analogues of controlled substances.

Target 14. Identification of illicit narcotic plant cultivation

The problem

154. Under the 1961 Convention, article 22, the cultivation of the opium poppy, the coca bush and the cannabis plant is to be prohibited in certain circumstances; this general provision is subject only temporarily and in a few countries to some transitional reservations (article 49). In only one country is opium today produced for licit export. A few countries produce poppy straw for the extraction of opiates for licit use. In some countries there is illicit and uncontrolled production; in certain of the latter countries some production has been traditional. Several States recognize that the successful elimination of this traditional production requires and deserves transitional economic assistance.

155. The coca bush is grown in countries in and near the Andean region. Under the 1961 Convention, the cultivation of the coca bush is subject to control. The traditional use of its leaves in several of those countries predates the arrival of the Europeans. There is even some medical use of the leaves and a legal modern use of a flavouring agent obtained from the leaves after the removal of the alkaloid content. But even in those countries, growers now sell much of their crop to illicit traffickers, and enormous new acreage has been planted to coca in these and in neighbouring States, all the output of coca leaves being intended exclusively for the illicit market.

156. The cannabis plant is found world-wide. Its cultivation is required by the 1961 Convention to be subject to control and (subject to what is said above) is permitted only for industrial purposes (fibre and seed) or horticultural purposes.

157. Attempts to eliminate illicit production frequently encounter the difficulty of locating sizeable plantations with precision. To avoid detection, growers often place them in remote areas which are very difficult to reach on the surface, often in mountainous terrain, in narrow, steep-walled canyons that are difficult to reach even by air.

158. In a number of regions the most serious handicap for law enforcement agencies is that planting occurs in areas not under the effective control of the central government. The opium poppy, coca bush and cannabis plants are often grown interspersed with other plants, which makes locating and eliminating them even more difficult.

Suggested courses of action

At the national level

159. In order to organize and mount effectively the most appropriate campaign to eliminate the planting of opium poppy, coca bush and cannabis plants, the national authority concerned should:

- (a) Identify the map co-ordinates of areas under illicit cultivation;
- (b) Gather data concerning crops being grown, size of holdings, yields per hectare, labour input and prices obtained by the farmer;
- (c) Assess land capability (types of soil and soil fertility), climatic factors and land tenure and irrigation systems, to permit selection of substitute crops;

(d) Analyse the geographical, political and economic conditions of the area in question.

160. National law enforcement, military and local government officials and the Ministry of Agriculture and field offices should be consulted, as should organizations and associations of persons likely to have the required information. If available locally, aerial photography should be used for spotting clandestine plantations or, if it is not, the Government should seek assistance in carrying out photographic reconnaissance. Each State should report its findings annually to the Commission on Narcotic Drugs in order to facilitate exchange of information among States.

161. In countries in which the cultivation of plants used in the manufacture of narcotics is carried on clandestinely on a large scale, the Ministry of Economic Affairs (or Agriculture, as the case may be) or other appropriate authority should, where necessary, conduct a survey with the assistance of the cartographical institute to determine the extent of such cultivation.

162. The survey should, in addition, endeavour to determine how the earnings and mode of life of the rural population concerned would be affected by the discontinuance of illicit cultivation - in so far as the cultivation is traditional - and its replacement by legitimate food or cash crops. Where necessary or desired, assistance might be requested from the United Nations Fund for Drug Abuse Control or other bilateral or multilateral sources for the purpose of carrying out the survey (adapted from a suggestion by ECLAC).

163. The Ministry of Agriculture or other appropriate authority in countries where narcotic plants are cultivated illicitly and in areas where rural development assistance is considered appropriate should, after gathering full information on such cultivation, assess the suitability of the land for the planting of legitimate crops, select the crops that are best adapted to the environment, and work out plans for lessening or eliminating the farmers' dependence on earnings from the sale of illicitly grown plants (adapted from a suggestion by FAO).

At the regional and international levels

164. In cases where it is suspected that a sizeable illicit cultivation of the plants in question is carried on but the Government of the territory does not possess the cartographical or other equipment for periodic aerial surveys of suspect areas, it should seek assistance for carrying out such surveys, possibly from a regional or international organization financed by one or more States and/or by the United Nations Fund for Drug Abuse Control. Effective satellite photography is of some initial value but, being still in the research and development stage, it should be supplemented for full accuracy by aerial photography.

Target 15. The elimination of illicit plantings

The problem

165. The opium poppy and the cannabis plant can be eradicated by being uprooted or beaten down manually or mechanically, by being sprayed manually (i.e. using back packs) with herbicides and, if the plantations are sufficiently large and the terrain permits, by being sprayed aerially. They may also be eliminated in connection with programmes of transitional economical assistance.

166. Manual or mechanical uprooting is often hampered by the rugged nature or inaccessibility of the terrain; besides, the process is inefficient and slow, especially if many areas are to be cleared, and furthermore in some areas law enforcement officers who are present on the spot may be risking their lives. These comments apply also to manual or back-pack spraying. In developing countries these eradication techniques may require a larger deployment of scarce resources than does aerial spraying.

167. Aerial spraying involves the use of suitable aircraft, adequately qualified pilots, and herbicides that are not harmful to the environment. Aerial spraying may be inadvisable where the plants in question are interspersed with other plantings or are grown in small numbers or near populated areas. Fixed-wing aircraft of the type commonly used in agriculture are efficient for spraying large fields from the air.

168. Any chemical used in spraying must be proved to be harmless to the particular environment. A number of herbicides are used in large quantities in almost every country for agricultural purposes, and some of them have been found to be effective against the opium poppy and cannabis. Methods for destroying coca by herbicides are still in the research and development stage.

169. Some States in the Middle East and Asia had tolerated the cultivation of the opium poppy under circumstances which lead certain States to believe that the growers, if now required to abandon these plants, should be given transitional economic assistance. Similar considerations may apply also to certain traditional growers of coca in the Andean region. Rural development of the areas, improved roads, schools, medical treatment, advice on other crops, fertilizers, and the like can help persuade the former growers to comply with the ban on cultivation. It should, however, be a condition of such assistance, usually financed at least in part by foreign aid, that the State, in conformity with its obligations under the 1961 Convention, is committed to and is implementing a plan to eliminate illicit production in the near future.

170. Transitional economic assistance may also be used by some countries in the context of a programme for the elimination of the illicit growth of narcotic plants.

Suggested courses of action

At the national level

171. If they have designated the co-ordinating agency referred to in article 35(a) of the 1961 Convention and article 21(a) of the 1971 Convention, States parties to these instruments should direct the agency to prepare and keep up to date a comprehensive plan for the elimination of the illicitly cultivated narcotic plants that have been discovered (see target 14):

a) Opium poppy. Where a sizeable illicit growth of opium poppy has been discovered, the extent of the plantings, their physical accessibility and local political conditions should be investigated. A campaign should then be prepared to eliminate them in the manner most appropriate in the circumstances. Aerial spraying is efficient if the fields are large enough, if equipment, pilots and funds are available and if the chemical to be used has been found to be environmentally safe on the terrain. Alternatively, arrangements should be made to have labour on the spot in good time to uproot or spray the plantations manually. If the country concerned is one of those that believe that such plantings can be eliminated in a reasonably short time through a programme of transitional economic assistance or that eradication should be accompanied by transitional economic assistance in the growing area, such a programme should be planned and appropriate technical and financial assistance sought, if needed. The ban could be imposed in stages;

(b) Coca bush. States in whose territories sizeable plantations of coca bush have been discovered should proceed along similar lines to those just suggested for opium poppy. Since the coca bush has been cultivated and coca leaves have been chewed for centuries in some parts of the Andean region, and in some of them the practice continues, transitional economic assistance and phased elimination of coca growing may be important in some areas. Newly created plantations should not benefit from any transitional assistance;

(c) Cannabis plant. States in whose territories sizeable plantations of cannabis have been discovered should proceed along the lines outlined above. Much of the cannabis is grown on very small plots that are not easy to find (and cannot be aerielly sprayed). No transitional development assistance programme would be appropriate in connection with the elimination of cannabis plants.

At the regional and international levels

172. The Division of Narcotic Drugs, working in close collaboration with the international bodies concerned, should encourage States to report on their efforts to locate and to eliminate the illicit cultivation of narcotic plants in their annual report to the Secretary-General, updated summaries of which should be communicated to the Commission on Narcotic Drugs. The United Nations Fund for Drug Abuse Control should continue to encourage and help States to develop master plans for narcotics control, including the elimination of illicit crops.

173. The Secretary-General should consider convening a study group of specially selected experts to study and recommend environmentally safe methods for eradicating illicit plants. UNEP, WHO and the United Nations Fund for Drug Abuse Control may be invited to participate in the study. Special attention should be given to appraising herbicides for use in safely eradicating illicit plantations of the three narcotic plants, in the various environments and conditions likely to be encountered. In particular, attention should be paid to determining which herbicides could be effective against coca by spraying from the air and at ground level.

174. The ministries or authorities concerned of States that have the material, technological and financial capability to offer to the corresponding ministries of other States, particularly developing States, assistance in carrying out measures of eradicating illicitly cultivated narcotic crops, in particular coca plantations, should grant such assistance to those other States at their request and, if appropriate, offer to supply chemical or like substances for use in the eradication measures. Requests for such assistance might be transmitted through a United Nations body or submitted directly to the United Nations Fund for Drug Abuse Control (based on a suggestion by the United States of America).

Target 16. Redevelopment of areas formerly under illicit
drug crop cultivation

The problem

175. Narcotic plants can be, and often are, cultivated in remote areas; they do not require specialized agricultural skills or costly inputs. The expense of transporting narcotic products is almost irrelevant, because of their high value per unit weight. Although the grower's income from the sale of the narcotic plants represents only a small fraction of the money that changes hands in the illicit trafficking and distribution of the drugs, the grower's earnings from these crops are generally higher than those from any alternative food or cash crops that can be grown on the same land area.

176. The reduction of illicit cultivation through law enforcement measures may affect the income of the farming communities concerned and in some cases leave the farmers in the short term without any means of subsistence. Accordingly, the Government may wish to consider undertaking in the traditional growing areas a programme that would assist these farmers in raising crops other than narcotic plants and/or in seeking other means of livelihood. Experience shows that such programmes are most effective if they form part of more general comprehensive rural development programmes offering, for example, improved infrastructure, credit, and marketing facilities. Integrated rural development and crop substitution involve a multidisciplinary and integrated approach to change from traditional low-income and low-input agriculture to a more broadly based economy with higher technology and involving alternative cash crops as well as other sources of income. Any rural redevelopment scheme of this kind should, of course, be closely supervised lest it inadvertently give some benefit or advantage to drug traffickers.

Suggested courses of action

At the national level

177. The Ministry or Ministries concerned should:

(a) Carry out market surveys followed by in-depth studies, where necessary, aimed at identifying export markets for substitute crops and determining the feasibility of setting up product-processing plants, possibly with the participation of the private sector;

(b) Strengthen agricultural research and extension in areas growing illicit drug crops with a view to determining the short-term and long-term requirements of any crop substitution programmes envisaged, for example as regards input needs, plant population, harvesting techniques and marketing of the harvest. Long-term research would also cover seedbed preparation, efficient use of irrigation, dry farming techniques etc.;

(c) Develop the infrastructure with a view to creating an improved living environment for the farmer, in support of government efforts to eliminate illicit cultivation, including, for example, improvement of health and sanitary conditions, provision of educational facilities, road construction and other initiatives that would take into account the remoteness and isolation of the drug-producing areas in general.

At the regional and international levels

178. Regional bodies should co-ordinate the actions of Governments at regional or subregional levels for the purpose of identifying areas formerly under illicit cultivation that cut across national boundaries and that may be suitable for redevelopment, having regard to the different crops grown in the region.

179. An international campaign under the auspices of the United Nations family of organizations should be undertaken to increase the flow of resources to programmes that are designed to reduce the supply of drugs through rural development, crop substitution, industrial development, education, research and extension activities.

180. International intergovernmental and non-governmental bodies interested in this field should prepare information material, including video films and material based on other advanced techniques, in support of the programmes aimed at recommending alternative crops or other means of livelihood for farmers in drug-producing areas.

181. International assistance should be granted to the countries concerned in the form of financing provided by the international community through the United Nations Fund for Drug Abuse Control or other channels.

182. In cases where an area previously used by the resident rural population for the illicit cultivation of opium poppy or coca plants has been transformed into land planted to substitute crops for which there is a potential export market, the Governments of countries that may offer an outlet for such substitute crops should consider favourably the grant of preferential tariff and non-tariff treatment to imports of produce grown on such converted land. For this purpose, the importing and exporting countries concerned may consider it desirable to enter into agreements stipulating the precise conditions and specifying the commodities in question and the nature of the preferences granted.

183. International financing institutions should contribute more extensively to integrated rural development in support of the eradication of illicit plantings and crop substitution programmes, if the countries concerned so request.

184. In cases where official bilateral or multilateral development assistance is provided to a country in which the cultivation of the opium poppy or coca bush is carried on clandestinely on a considerable scale, the donor should consider making the grant of assistance to that country conditional on acceptance by the Government of the commitment not to use any such assistance funds, directly or indirectly, in land areas on which any of the said plants continue to be cultivated illicitly (adapted from a communication by the World Food Programme).

185. Government agencies and international institutions should exchange information on progress in crop substitution in the course of deliberations on agricultural and integrated rural development in the international forums concerned.

186. The results of successful integrated rural development and crop substitution programmes should be made generally available with a view to encouraging other countries to undertake similar programmes where needed. Data on both successful and unsuccessful experiences should be gathered and

analysed, with a view to elaborating an improved methodology for integrated rural development and crop substitution. In view of the marked rise in illicit demand for drugs in a number of developing countries where, until recently, drug abuse had not been on a serious scale, the government agencies concerned in donor countries and the governing bodies of intergovernmental financial institutions should take into account in their development assistance programmes the desirability of supporting or promoting in those developing countries, with their concurrence, economic and other projects or activities that would help to curb the rise in drug abuse and/or illicit drug production in those countries. Projects and activities of this kind might include integrated agricultural, industrial or rural development schemes, more comprehensive in scope than mere crop substitution schemes. While the emphasis to be given in bilateral or multilateral development assistance programmes to projects specifically designed to discourage the growth of illicit demand for drugs is bound to vary from case to case and according to the preferences of the Governments of recipient countries, the donors of financial and other assistance should, as far as possible, co-ordinate the flow and composition of assistance in such a way as to make an impact on drug abuse. In this respect, the United Nations Fund for Drug Abuse Control is performing a valuable co-ordinating function.

III. SUPPRESSION OF ILLICIT TRAFFICKING

Introduction

187. Drug trafficking is sophisticated and complex. A wide variety of drugs is involved, and they may be of external or domestic origin. The illicit traffic in drugs not only violates national drug laws and international conventions, but may in many cases also involve other antisocial activities, such as organized crime, conspiracy, bribery, corruption and intimidation of public officials, tax evasion, banking law violations, illegal money transfers, criminal violations of import or export regulations, crimes involving firearms, and crimes of violence. Narcotics are now frequently used instead of money as a medium of exchange for trading in weapons and other contraband, and some large drug-trafficking networks have gained virtual control of certain areas. Because of the far-reaching consequences of the illicit drug trade, even the integrity and stability of certain Governments have been threatened. This wide range of illegal activities presents an equally wide range of openings for imaginative law enforcement action.

188. Action on the lines suggested in chapter I, concerning the prevention and reduction of illicit demand, and in chapter II, on the elimination of illicit supply, would obviously go a long way towards suppressing illicit trafficking.

189. In addition, however, it is necessary to ensure vigorous enforcement of the law in order to reduce the availability of illicit drugs, deter drug-related crime, and contribute to drug abuse prevention by creating an environment favourable to efforts for reducing supply and demand. The challenge is to overcome the obstacles posed by the complexity of international transactions, the covert nature of the drug trade and the large sums of money to be made from drugs in proportion to their often low bulk. Co-ordination of activities and co-operation among national agencies within each country and between countries are vital for the achievement of the objective.

190. Many Governments have initiated vigorous and innovative methods for disrupting drug-trafficking organizations. These successful initiatives may usefully be shared with other Governments, where applicable, and can be adapted to the particular situation in a given area or region.

191. Special emphasis should be placed on supplementing the activities of the police and customs authorities by increasing the effectiveness of the criminal justice system in the arrest, prosecution and appropriate sentencing of traffickers. The support of the full range of non-governmental organizations that have an interest in law enforcement and judicial matters should also be enlisted. Mutual legal and judicial assistance between national jurisdictions should be fostered and facilitated, as should co-operation between law enforcement agencies. Assets gained from the illicit drug trade should be made liable to seizure, as should the instruments used in trafficking. The extradition from one country of persons accused of drug offences in another country should be facilitated, and the denial of travel documents and entry to persons convicted of drug offences should be authorized.

192. An important step now being taken by the international community in this regard is the drafting of a new convention against illicit traffic in narcotic drugs and psychotropic substances, which it is hoped will be adopted in the near future. States are encouraged to become parties to the Convention once it has been adopted. Pending its entry into force, which may take some time,

measures envisaged in the new Convention should be taken urgently and to the fullest possible extent. Some of the actions referred to in the proposed draft convention could already be carried out under the existing multilateral instruments.

193. As of 1 October 1986, altogether 114 States were parties to the 1961 Convention, 81 States were parties to the 1961 Convention as amended by the 1972 Protocol, and 84 States were parties to the 1971 Convention. Ratification and effective implementation by all States of the international conventions relating to drug abuse control will greatly enhance the prospects of ridding the world of illicit drug trafficking.

194. The international intergovernmental bodies concerned should bring to the attention of Governments any deficiencies noted in the operation of the international drug control system (e.g. leakages into illicit channels), and invite them to suggest or consider making (as the case may be) efforts to remedy the shortcomings at the national, regional and international levels. In addition, in negotiating the proposed draft convention against illicit traffic in narcotic drugs and psychotropic substances (E/CN.7/1987/2), the participating Governments should endeavour to ensure that its provisions are stringent enough and that implementation measures are included to achieve the objective of eliminating the illicit traffic.

Target 17. Disruption of major trafficking networks

The problem

195. In order for major trafficking networks to be disrupted, their activities must be thwarted by ensuring:

(a) That the individuals concerned are identified in good time, so that they can be detected, detained and tried;

(b) That they are deprived of their mobility and liberty;

(c) That they are deprived of their illicit gains and of their trafficking instruments.

196. Timely information on the criminal activities of traffickers is required in order that they can be identified and caught. This information is often available but not exploited in different agencies within the same country, such as national and local police, specialized police, customs, coastguard, revenue and tax authorities, air force, navy and army units, and national security agencies. It is often also available in the records of organizations such as banks, air, road, rail and maritime transportation companies, management of ports and airports, free-port authorities, courier services, money changers and financial and investment houses. Personnel in all such organizations should be trained to recognize the value to law enforcement authorities of such information.

197. The object is to channel all pertinent information to the appropriate law enforcement agencies promptly so that traffickers can be identified and caught. It is therefore necessary to strengthen co-operation between law enforcement agencies within each State and between these and their counterparts in other States, enhance training of law enforcement personnel and enlist the assistance of the non-governmental sector in gathering information.

198. For this purpose, States that have not yet done so are urged to designate the co-ordinating agency envisaged in article 35(a) of the 1961 Convention and article 21(a) of the 1971 Convention, which should be given the necessary authority to co-ordinate the actions set forth below.

Suggested courses of action

At the national level

199. The said co-ordinating agency should gather from all government agencies information useful for drug law enforcement and communicate this information promptly to the appropriate law enforcement agency; this requirement should be spelt out in appropriate laws and regulations.

200. The ministry or authority concerned should be made responsible for arranging training for the personnel of all such agencies to enable them to recognize and to transmit promptly to the appropriate agency any information useful for the purpose of identifying traffickers and detecting their activities.

201. The co-ordinating agency should approach air, ship, rail and trucking firms which operate internationally, and/or the associations of such firms, urging them to review their procedures for the purpose not only of

safeguarding their services against misuse by traffickers (see also target 24) but also of ensuring that information about any trafficking operation whatsoever is reported promptly.

202. The personnel of such firms should not be recruited unless they have first undergone checks to determine their trustworthiness. They should be trained to detect any misuse by traffickers and should report immediately to the management any case of misuse that comes to their notice so that it may be communicated to the appropriate authority. The appropriate national authorities should offer to assist in this appraisal of personnel and procedures and in the training of staff.

203. Legislative bodies should enact legislation applying penalties to transport companies that are aware of such misuse and do not take prompt steps to correct and report it or are reckless or grossly negligent in this regard. Legislation providing for the seizure and freezing of transport equipment used in drug trafficking should be enacted if not already in effect (see also target 23).

204. The Ministry of Finance or other national authority responsible for financial matters should ensure that any suspect activity by banks, money changers, financial and investment houses and courier and related services is promptly reported. Any amendment needed in banking and corporate secrecy laws should be in terms conducive to the discovery of drug-related offences. With the support or advice of the Ministry, training courses should be arranged for the staff of banking and financial institutions, so that they can learn how to recognize suspect transactions. The movement of unusually large amounts of cash or negotiable instruments, the deposit of exceptionally large amounts of cash in banks, the unreported maintenance of accounts abroad by nationals or residents in cases where such amounts are required to be reported, and large unexplained accumulations of wealth of obviously dubious origin should by law be liable to penalties if there is evidence of possible "laundering" or concealment of funds connected with illicit drug trafficking.

205. The Ministry of the Interior or other appropriate authority should instruct the national and local law enforcement agencies to be alert to cases in which corrupt practices may have been used by drug traffickers or their associates in order to obtain the protection of persons holding public office for illicit operations or the tacit acquiescence of such persons in illicit operations, where the said persons were aware of the illicit nature of the operations (adapted from a suggestion by the Interregional Meeting of Heads of National Drug Law Enforcement Agencies).

206. If in the course of investigating suspect activities a government agency discovers evidence of a connection between illicit drug trafficking and illicit arms or weapons trafficking or terrorism, it should promptly inform other national authorities accordingly and communicate relevant particulars to the authority concerned in the country that is the probable target of the illicit traffic or terrorist activity in question.

At the regional and international levels

207. The ministries concerned and national law enforcement agencies should co-operate closely with their counterparts in other States with a view to enhancing the effectiveness of their law enforcement action to suppress the illicit drug traffic. For this purpose, they should establish and maintain channels of communication between their respective law enforcement agencies, by means of which information can be exchanged without delay. Liaison

officers should be designated or accredited as appropriate to facilitate these exchanges of information.

208. States should endeavour, directly or through the appropriate international organizations, to establish regional and international agreements strengthening co-operation in the fight against the illicit drug traffic.

209. Bilateral and multilateral assistance should be sought, where needed, for the purpose of financing programmes of technical co-operation and assistance and improving channels of communication relating to the fight against the illicit drug traffic.

210. With the co-operation of ICPO/Interpol and CCC, the Division of Narcotic Drugs should continue to organize regular regional and interregional training courses to train personnel of law enforcement and related agencies and to promote co-operation among these agencies in the fight against the illicit drug traffic.

211. Since the operations of drug trafficking gangs may vary from region to region, information available on profiles and methods of operation should be gathered by national authorities at the regional level in co-operation with ICPO/Interpol, to be used by States as well as by international agencies and entities concerned.

212. In countries where it is known or suspected that the "informal" or "parallel" sector accounts for a significant share of the national product and of international trade, the Ministry of Economic Affairs or the appropriate authority should investigate the ways in which the illicit production of and traffic in drugs contribute to the "informal" economic activities and should take counteraction. The Ministry or the authority concerned may wish to communicate the relevant information to other countries, in the region or elsewhere, which are known destinations of the illicit cross-border drug traffic or of the flight of assets representing earnings of traffickers from unlawful transactions.

213. If conclusive evidence comes to light of illicit trafficking being carried on by means of the misuse of the diplomatic bag or of the diplomatic status, or of the consular status, it is open to the Government of the receiving State to take measures for halting this traffic and for dealing with the diplomatic or consular staff involved in the manner provided for in the international conventions on diplomatic and consular relations. Where two or more Governments so desire, they may negotiate special agreements inter se derogating in certain cases and to a limited extent, and for the sole purpose of stopping illicit drug trafficking, from the provisions of the two conventions in question.

Target 18. Promoting use of the technique of controlled delivery

The problem

214. The law enforcement technique of controlled delivery is widely considered to be an efficient tool in identifying and neutralizing major organizers of international drug trafficking. This procedure involves allowing a delivery of illicit drugs, once detected, to proceed, under constant and secret surveillance, to the ultimate destination envisaged by the traffickers, the object of the surveillance being to lead to the discovery and eventual arrest of the trafficking ringleaders. Difficulties have arisen in some national jurisdictions, where legislative provisions require the suspect's immediate arrest upon detection, and also where the responsibility for such surveillance is ill-defined and the strict enforcement of penal law by the country of destination is not guaranteed. In addition there is a risk that the shipment may escape into illicit hands. High operational costs, and the non-availability of trained staff, have in some countries inhibited the use of this most useful method of tracing the delivery of illicit drugs to the ultimate destination.

Suggested courses of action

At the national level

215. Unless the constitution of the State concerned rules out the amendment of the law in such a way as to permit the use of the technique of controlled delivery, the law should be amended to permit its use. The legislature and the Ministry of Justice or other appropriate authorities should take the necessary measures to authorize the appropriate use of the technique of controlled delivery for the purpose of identifying and bringing to justice the individuals, corporations or other organizations involved in the shipment, transportation, delivery, concealment or receipt of an illicit consignment of controlled substances that might not be detected if the intermediaries or couriers were arrested immediately on identification.

216. If the consignment being kept under surveillance by the technique of controlled delivery is destined for a territory outside the country that initiates the surveillance, the Government responsible for that territory should be asked for and should grant permission to the law enforcement officers of the said country to carry out the surveillance in that territory.

217. In order to ensure maintenance of appropriate security throughout the controlled delivery process, national law enforcement authorities should ensure continuous surveillance and, if possible, replace the controlled substances with innocuous materials.

At the regional and international levels

218. In order to ensure that controlled delivery is being effectively co-ordinated at both national and international levels, States should make the agency designated pursuant to article 35(a) of the 1961 Convention and article 21(a) of the 1971 Convention responsible for such co-ordination.

219. With the assistance of the United Nations Fund for Drug Abuse Control and in close co-operation with ICPO/Interpol and CCC, the Division of Narcotic Drugs should organize regional training courses for law enforcement and judicial officers for the purpose of drawing up guidelines and instructing them in techniques of surveillance, control, and co-ordination of controlled delivery.

Target 19. Facilitation of extradition and restriction of movement

The problem

220. Despite the community of interests and obligations shared by the States parties to the 1961 and 1971 Conventions, the laws and regulations concerning persons accused of drug-related offences vary considerably from one country to another. These differences in legislations provide traffickers with opportunities for evading capture and trial; for example, the traffickers may be resident in a country whose law or administration of justice is so lax that they enjoy virtual immunity from prosecution or from extradition to a country in which they are accused of a criminal offence.

221. It would obviously be a strong deterrent to traffickers if they knew that prosecution, trial and, if convicted, punishment for drug-related offences would be inescapable, that extradition to the country in which the alleged offence was committed and which asks for extradition would be almost certain, and that the offender's movements would be severely hampered, after conviction, by the denial of travel documents, visas etc. The enactment of appropriate legislation where it does not already exist, and its strict enforcement, would go a long way towards denying drug traffickers any haven of refuge.

Suggested courses of action

At the national level

222. As envisaged in the proposed convention against illicit traffic in narcotic drugs and psychotropic substances (E/CN.7/1987/2), each party to that instrument is to take measures necessary to establish the following acts as serious offences under criminal law:

- (a) Illicit trafficking in narcotic drugs or psychotropic substances;
- (b) Manufacture, distribution or possession of materials or equipment intended for use in the illicit production or manufacture of narcotic drugs or of psychotropic substances;
- (c) Acquisition, possession, transfer or laundering of proceeds derived from or used in illicit traffic;
- (d) Conspiracy to commit, attempts to commit and participation in the commission of the said offences.

223. The national legislation should be reviewed to ensure that each and every one of the foregoing acts is defined as an extraditable offence and included (by amendment) in existing and in contemplated extradition treaties.

224. If the authorities of a State which makes extradition conditional on the existence of a treaty receives a request for extradition from another State with which it has no extradition treaty, it may consider the provisions of article 36, paragraph 2, of the 1961 Convention or those of the proposed new convention as the legal basis for the extradition of a person accused in the requesting State.

225. Legislation and regulations should be enacted or modified to ensure that a request for extradition is not refused on the ground that:

(a) The person sought is a national of the requested State;

(b) The alleged offence was committed outside the territory of the requesting State if the offence was intended to have, or had, effects within the territory of that State; or

(c) The alleged offence was political in character or was politically motivated.

226. States should enact legislation (if needed) authorizing the withholding of travel documents from any citizen, national or resident convicted of a drug offence, and should not grant visas to an alien known to have been convicted of a drug-related offence or if there are reasonable grounds for suspecting that alien of being engaged in illicit trafficking.

At the regional and international levels

227. The appropriate ministries should take steps to ensure the early adoption of the proposed new convention against illicit traffic in narcotic drugs and psychotropic substances (E/CN.7/1987/2) (including provisions concerning extradition and the denial of travel documents).

228. States should enter into bilateral and multilateral extradition treaties with as many States as possible, and especially with those that are likely to be concerned with them in the detection or prosecution of narcotic trafficking offences. The Secretary-General of the United Nations is invited to prepare and publish a manual of extradition procedures.

Target 20. Mutual judicial and legal assistance

The problem

229. The multinational aspects of illicit trafficking in drugs greatly complicate law enforcement, investigation and judicial counteraction. Witnesses, documents and other evidence are often scattered in States other than the State in which persons accused of drug-related offences are brought to trial, and the detailed rules concerning the production of evidence can create difficulties for judicial bodies. Needed mutual legal assistance includes, for example:

- (a) Taking evidence, including compelling testimony;
- (b) Serving judicial documents;
- (c) Executing requests for searches and seizures;
- (d) Examining objects, sites and conveyances;
- (e) Locating or identifying witnesses, suspects or other persons;
- (f) Verifying in narcotics laboratories the illegal nature of substances seized;
- (g) Exchanging information and objects;
- (h) Providing relevant documents and records, including bank, financial, corporate and business records: existing bank secrecy laws are being used in many instances to obstruct co-operation and the provision of information needed for the investigation of allegations of drug-related offences.

Suggested courses of action

At the national level

230. The Ministry of Justice or other appropriate authority should ensure that the greatest possible measure of mutual legal assistance is provided in investigations, prosecutions and other judicial proceedings relating to illicit trafficking offences, making or proposing any necessary modifications in the legislation, regulations or procedures. Legislative provisions should be enacted as required, granting broad powers to the courts to assist courts in other jurisdictions as well as investigative organizations, prosecuting authorities and related agencies in gathering evidence in accordance with the procedures of the requesting State to the greatest extent possible under the laws of the requested State.

231. Each State party to the Conventions should authorize its co-ordinating agency designated pursuant to article 35(a) of the 1961 Convention and article 21(a) of the 1971 Convention to receive requests for mutual legal assistance and also to address such requests to other States. These agencies should be empowered to request the courts to take the desired action. The agencies should communicate with each other directly or through the Secretary-General of the United Nations for the execution of such requests.

232. The co-ordinating agency of the requested State should ensure that requests for mutual legal assistance are executed in accordance with the procedural requirements specified in the request in so far as they are not incompatible with the law of the requested State.

At the regional and international levels

233. Ministries of Justice or other appropriate authorities should, in co-operation with Ministries of Foreign Affairs, initiate action to enter into regional or international agreements that would serve the purposes described above. A number of States have entered into or are negotiating bilateral and regional agreements for these purposes. Many such agreements relax the rules governing bank secrecy in drug trafficking cases, thus reducing the number of "safe havens" available to traffickers.

234. The Secretary-General of the United Nations should be requested by the Commission on Narcotic Drugs to issue periodically lists of the national co-ordinating authorities designated by States parties to facilitate legal and judicial co-operation.

235. The Secretary-General should also be requested to publish a compendium of the bilateral and regional agreements on mutual legal assistance entered into by States, and States should promptly report the conclusion of such agreements to the Secretary-General.

236. In view of the paramount importance of timely intelligence in the fight against illicit trafficking, Governments would be able to intensify their efforts against these illicit activities if they possessed efficient channels of communication enabling them to track movements of traffickers promptly. For this purpose they may find it useful to enter into multilateral, bilateral or regional arrangements providing for the reciprocal exchange of relevant information among law enforcement agencies, including those of transit States. The latter may request assistance from the United Nations Fund for Drug Abuse Control and bilateral and multilateral assistance programmes in establishing or expanding their communications network for this purpose (adapted from a suggestion by ICPO/Interpol).

237. In cases where they consider it desirable with a view to strengthening international or regional peace and security and building confidence, interested Governments might envisage the conclusion of formal agreements (in so far as these do not already exist) that contain provisions for pursuing the fight against illicit drug trafficking. Such agreements might envisage, inter alia, reciprocal training courses for officials, greater ease of communication between authorities, the establishment of direct telex links etc.

238. States whose systems of law and rules of evidence and procedure are much alike may wish to consider entering into agreements for the reciprocal recognition of judicial decisions concerning persons convicted of drug-related offences. In such cases, the provisions of such an agreement might specify that the sentence imposed by the court in one State party to the agreement is enforceable in another State party, provided that the respect of the convicted person's fundamental human rights is guaranteed in the place where the sentence is to be served (based on a suggestion by the secretariat of the Acuerdo Sudamericano sobre Estupefacientes y Psicotrópicos).

Target 21. Admissibility in evidence of samples of bulk seizures of drugs

The problem

239. Frequently, law enforcement authorities seize an illicit shipment of drugs of considerable bulk. Laws and regulations in some States require the holding of that entire bulk shipment pending the completion of investigation and trial. During the waiting period there is a risk that the seized drugs might again leak into the illicit traffic. Also, some States lack adequate laboratories for the analysis of the seizure; yet accurate and timely analysis is essential to the successful prosecution of drug-related offences. Technical methodologies need to be established for the safe destruction of bulk seizures of drugs as well as for the accurate chemical analysis of samples, including the determination of adequate procedures for taking samples from bulk seizures.

Suggested courses of action

At the national level

240. Legislation should be enacted or amended, as appropriate, to authorize the destruction of the bulk seizure of drugs after the legally required sample or samples have been taken.

241. In States lacking adequate capabilities for carrying out chemical or forensic analyses, the law should admit in evidence the analytical findings of foreign laboratories of recognized international standing. Such laboratories may include but should not be limited to those of the appropriate international bodies.

At the regional and international levels

242. The Division of Narcotic Drugs should continue, with the assistance of the United Nations Fund for Drug Abuse Control, to develop its programme to encourage the establishment of analytical laboratories and ensure at the very least the regional availability of such laboratories.

243. The Division should work out acceptable standardized methods for carrying out analyses of seized narcotic material and establish universally recognized forms for the submission of results of analyses of seizures, as well as of samples admissible as evidence of entire bulk seizures.

Target 22. Adequacy and efficacy of penal provisions

The problem

244. Articles 36 and 22 of the 1961 and 1971 Conventions respectively provide that acts contravening the provisions of those Conventions are to be declared punishable offences by States parties to them. Because definitions of drug-related offences and the penal provisions are not uniform but may vary from country to country, there are loopholes by which drug traffickers and their accomplices can escape prosecution. Sentencing practices also vary widely within and between national jurisdictions, as do policies regarding conditional release after arrest (bail) and after sentences involving deprivation of liberty (probation). In addition, the recidivism rates for drug offenders are relatively high, and the results of sentences exclusively concerned with prison terms indicate that deprivation of liberty is not necessarily an effective deterrent for every category of drug offender.

Courses of action

At the national level

245. The legislature, ministries or other authorities concerned, university faculties of law, research institutions and like academic bodies, should review national law and practice to ensure that drug trafficking offences are punishable by adequate measures, including:

- (a) Imprisonment for a term appropriate to the offence and adjustable in the light of aggravating factors;
- (b) Leave for the prosecution to appeal against sentences considered too lenient;
- (c) Fines commensurate with the offence;
- (d) Extension of the period during which serious drug trafficking offences may be prosecuted;
- (e) Forfeiture of all instruments, goods or property involved in the commission of the offence;
- (f) Forfeiture of proceeds of the offence (see target 23);
- (g) Restrictions on travel of persons convicted of drug crimes.

246. States should ensure by legislation that their judicial systems take into consideration, in connection with initial sentencing and eventual parole, aggravating circumstances such as:

- (a) The involvement of organized criminal groups;
- (b) The use of firearms or violence;
- (c) The fact that the offender holds public office;
- (d) Previous drug trafficking offences, wherever committed;
- (e) The manifest intent of the offender to infiltrate and introduce drugs into closed institutions such as prisons, military premises, boarding

schools and the like, and to employ minors in furtherance of the commission of the offence.

247. States should ensure that their judicial systems observe the utmost caution in granting to an alleged offender conditional release on bail or bond after arrest and pending trial, for traffickers command such large resources that they can easily afford losses arising from any bail or bond forfeiture. Persons who are the object of an extradition request should in particular be held for a sufficiently long period to allow the requesting State a reasonable time to proceed.

248. The Ministry of Health or other appropriate authority should propose legislation (in so far as it does not already exist) providing disciplinary or penal measures with respect to any medical practitioner who is proved to have prescribed drugs in quantities that exceed permissible limits, or for persons known to them as being drug-dependent or as being likely to divert the drugs to the illicit traffic, or who are proved to have accepted financial or other favours in return for such prescriptions. Analogous provision should be applicable to pharmacists in cases of improper dispensing (based on a comment by Australia).

249. In countries where the penalties for offences against the drug legislation are considered too lenient, the Ministry of the Interior or other ministry concerned should propose the amendment of the legislation with a view to making offenders liable to more severe penalties. For example, the drug trafficker or the medical practitioner who is convicted of such an offence should be as severely punished as an offender who endangers the life or health of a human being.

250. In cases where a person has been convicted under the drug legislation, the judicial authority concerned should consider imposing, in addition to the penalties applicable to that offence, such additional measures as it considers appropriate, e.g. withdrawal of a trading licence, restrictions as to place of residence etc. The Ministry of Justice or other authority concerned should issue directives addressed to the law officers to the effect that, in cases where a person is prosecuted for a drug-related offence and where a concession in the nature of plea bargaining in return for disclosures may be granted, that person if convicted should nevertheless not escape punishment altogether.

At the regional and international levels

251. For the purpose of promoting concerted efforts to deter traffickers from exploiting the diversity of laws and sentencing practices in countries in a particular region, the Governments and legislatures should consider to what extent the diverse laws and practices concerning illicit trafficking may be harmonized at the regional level.

Target 23. Forfeiture of the instruments and proceeds of
illicit drug trafficking

The problem

252. In line with the provisions of article 37 of the 1961 Convention and article 22, paragraph 3, of the 1971 Convention referring to objects directly associated with the commission of a drug trafficking offence, most national criminal or civil legal systems make provision for the seizure and forfeiture of the tools and devices actually used in committing the offence. The relevant provisions are not consistently invoked or applied in national jurisdictions. Most of such existing provisions, moreover, cannot be construed as being applicable to assets acquired by means of the proceeds resulting from drug trafficking.

253. The volume of the property and money transactions, and especially of cash transfers related to drug trafficking, has increased so greatly that these transactions affect some national economies in their entirety. The increased use by traffickers and their associates of complex corporate structures and intricate business transactions involving banks, trust companies, firms dealing in real estate and other financial institutions has added to the difficulty of seizing assets obtained as a result of trafficking in drugs. Because bank, tax and investment legislation varies from country to country, traffickers and their accomplices can find loopholes in national laws and procedures and can quickly adapt laundering schemes and techniques to hide their ill-gotten gains.

Suggested courses of action

At the national level

254. The legislature, ministries or other authorities concerned, university law faculties, research institutes and like academic bodies should review the national legislation and regulations and propose any necessary modifications that would facilitate and ensure the seizure, freezing, and forfeiture of the objects used in trafficking and the proceeds therefrom, including objects acquired with those proceeds, even if intermingled with other property acquired licitly. In addition, in so far as the existing legislation does not already so provide, provision should be made for these assets, once seized, to be frozen or held securely until appropriate action can be taken to effect their forfeiture. Meanwhile, they should be managed by official trustees in order to protect the value of the assets.

255. For the purpose of discovering channels used for the disposal of gains from the illicit drug traffic and thus identifying the principals of criminal organizations, the national authorities concerned might investigate the source of financing of illegal or semi-legal or transparently sham or "front" activities or businesses (e.g. houses of prostitution, gambling, "sex-shops", dealers in weapons and ammunition). Where the sources of the financing are multinational, the authorities should consider approaching their counterparts in the other country or countries concerned discreetly and inviting their co-operation in such investigations (even in cases where bilateral agreements to this effect have not been formally concluded).

256. The law should provide that, where it has been determined by appropriate judicial or administrative procedures that specific assets were acquired by means of the proceeds of trafficking, title to all such assets is forfeited. If some of these assets are located in another State, the State in which the action was initiated should assist that other State in seizing those assets.

257. States should in their legislation and regulations authorize their administrative and judicial agencies to accede to appropriate requests for such actions from other States where the offence may have been committed.

258. Associations of banks, investment houses and like institutions should devise codes of conduct whereby their members would pledge themselves to assist the authorities in tracing the proceeds of trafficking activities. As noted earlier (see target 17), the personnel of such firms should be trained to detect suspect transactions and should be eligible for rewards offered for timely reporting. The legislation should provide that the personnel and/or management of such firms will be liable to fines or other penalties if they knowingly or recklessly participate in or facilitate schemes for concealing information relating to such transactions.

259. For the purpose of detecting the sources of illicit supply of drugs and of reducing that supply, the ministry concerned may wish to carry out, or cause to be carried out, an investigation into the income levels of persons suspected of serving as channels of supply. The investigators should be directed to look for evidence in the records of the tax authorities, motor vehicle licensing authorities, land registry, public register of companies and any other accessible statistical or financial records that may disclose a gap between declared income and ostentatious expenditure.

260. The ministry or other authority concerned should consider the desirability and possibility of establishing a special fund whose resources would be mobilized to serve the cause of the fight against the illicit drug traffic and drug abuse. The assets of the fund might be constituted from, for example, voluntary contributions, special governmental allocations, monies or property seized in connection with the prosecution and conviction of drug traffickers (adapted from a suggestion by the Interregional Meeting of Heads of National Drug Law Enforcement Agencies).

261. The value of the proceeds of seizure and forfeiture should preferably be awarded to the State where the assets are found. Each State should empower its co-ordinating agency designated pursuant to article 35(a) of the 1961 Convention and article 21(a) of the 1971 Convention to establish a trust fund for holding such forfeited property and to consider awarding appropriate shares to supplement the budgets of the law enforcement agencies, national and local, which contributed to the success of the operation. Where private persons or organizations contributed to the success of the operation they should be eligible for payment of a reward.

At the regional and international levels

262. All those concerned in preparing the draft convention against illicit traffic in narcotic drugs and psychotropic substances should endeavour to ensure that it will facilitate the attainment of this target.

263. The Division of Narcotic Drugs in co-operation with ICPO/Interpol and CCC, assisted, as appropriate, by the United Nations Fund for Drug Abuse Control, should encourage the exchange of information about transborder laundering schemes and techniques and of experience with the training of staff of law enforcement agencies and of financial institutions.

264. In cases where bilateral or multilateral agreements are negotiated for the purpose of promoting international trade, economic co-operation, cultural exchanges or for like purposes, the representatives of the States negotiating such agreements might consider the advisability of inserting in these instruments provisions designed to prevent legitimate transactions under the agreements from being used as vehicles for the laundering of gains from illicit drug trafficking, illicit drug manufacture and illicit cultivation of narcotic plants.

Target 24. Tightening of controls of movement through official points of entry

The problem

265. The security of airports, seaports and land border crossings is normally within the scope of responsibility of customs and, to a certain extent, immigration authorities. There are, however, usually gaps in the effective control by law enforcement agencies. For example, without full-time coverage, these entry points are vulnerable to penetration, as are other frontier areas. Even if covered on a full-time basis, the organization and layout of the facilities often offer opportunities for evasion of controls, and few entry points are equipped with modern or appropriate means of detecting illicit movements of drugs, such as sensing devices and sniffing dogs. Service personnel carrying out activities such as maintenance, cleaning, refuelling and catering, and crew members, are not always adequately controlled. Customs services are invariably under the jurisdiction of central government authorities, whereas the management of airports and seaports may be vested in a variety of local government or corporate entities. Organized private messenger and courier services moving across borders pose potential risks.

Suggested courses of action

At the national level

266. Law enforcement agencies, customs services and Ministries of Public Works, Transportation and Justice, or other appropriate authorities should jointly analyse the current control systems, organization and layout of all official entry points with a view to recommending legislation and regulations or the redesign of facilities, in order to ensure full security control and appropriate jurisdictional authority over the physical facilities at all official entry points and so to curb illicit trafficking.

267. Analogous measures should be taken with regard to the movement of goods into and out of free-trade zones or free ports.

268. The appropriate law enforcement agency, usually the customs service, should initiate and implement these measures through the establishment of a joint task force with the agencies that manage the facilities of all official entry points and with the associations of transportation and shipping companies concerned.

269. Appropriate training should be provided by the law enforcement agencies concerned to all personnel involved in border controls.

270. States should provide their appropriate law enforcement agencies with adequate sensing equipment, including trained dogs, and kits for the preliminary identification of suspect material; they should enlist the assistance of bilateral, multilateral or international agencies, if needed, for this purpose.

271. The authorities should make regulations requiring shipping companies, rail and road transport undertakings and airlines servicing international routes to enter into agreements with the customs service, defining their respective responsibilities. Detailed arrangements may vary according to the degree of risk of drug trafficking. The law enforcement authority should undertake to provide training for the personnel in order to reduce these

risks, while maintaining appropriate confidentiality. Transport companies and airlines should be required, by regulation, to provide prompt technical assistance to the customs service for the effective and rapid inspection of aircraft, ships and other conveyances, to restrict access to conveyances to carefully selected and supervised personnel, and to report promptly to the customs service any suspect event, passenger or cargo.

272. Legislation should be enacted whereby firms whose employees are found to be in possession of large quantities of drugs acquired unlawfully in the course of their business would themselves be liable to penalties if proved to have been negligent or reckless in their management (adapted from a suggestion by ICPO/Interpol).

273. Notices and leaflets prominently displayed at embassies, consulates, airports, seaports and border crossings should warn travellers of the serious consequences of illegal trafficking and of the penal measures to which persons convicted of drug offences are liable.

274. The Ministry of Trade or other appropriate authority should make regulations (in so far as they are not already in force) requiring industrial, manufacturing and trading corporations to report to the Ministry or authority any case in which they have grounds for suspecting that goods, substances, equipment or any other item produced, manufactured or traded by them have been or are likely to be diverted to the illicit drug traffic or used for the purpose of making illicit drugs (adapted from a suggestion by the Interregional Meeting of Heads of National Drug Law Enforcement Agencies) (see also target 16).

275. The Ministry of Trade or other appropriate authority should issue instructions (if these do not already exist) to the customs service to verify the accuracy of the description given in the transport documents relating to consignments of drugs entering or leaving the country and, in case of discrepancy or of misleading description, to refuse clearance of the goods in question, pending rectification by the consignor (adapted from a suggestion by the Interregional Meeting of Heads of National Drug Law Enforcement Agencies).

At the regional and international levels

276. ICAO, IMO, WTO, IATA and ICS are invited to consider and adopt (in so far as they have not already done so) standards or codes of conduct for their members designed to improve control of the movement of passengers and goods, with a view to curbing the illicit traffic in drugs.

277. The United Nations Fund for Drug Abuse Control and regional and bilateral programmes should be asked to assist countries that need such assistance in equipping the law enforcement authorities at points of entry with drug sensing devices, training sniffing dogs, drug identification kits and other control measures. The drug identification kit and related materials prepared by the Division of Narcotic Drugs can be made available in this connection.

278. ICAO, IMO, UPU, WTO, IATA and ICS are invited to provide, if requested, technical advice and assistance to Governments with respect to modalities for effecting appropriate physical security in standard layout and design of premises at official points of entry.

279. Where a Government has reason to believe that its country is the target of an illicit supply of drugs originating in another country, it may wish to

consider entering into an agreement with the Government of that other country whereby it would be authorized to post duly qualified persons in that other country who would investigate the sources of the illicit supply and co-operate with the local law enforcement agency in planning measures for stopping the supply. The two Governments concerned may find it desirable, when concluding such an agreement, to waive the observance of the customary principle of reciprocity in the particular circumstances.

Target 25. Interdiction of illicit movements of drugs into and through the territories of sovereign States members of an economic union

The problem

280. Where a number of sovereign States have joined together to form an economic union or community by virtue of a treaty that provides, inter alia, for the free movement of goods and persons between the territories of its member States, it may be difficult or even impossible (because there are no intra-community border controls) to detect illicit movements of drugs and traffickers from one State to another. In addition, there may be no adequate provision for checking the legitimacy of shipments or the identity of persons at the points of arrival in a peripheral territory forming part of the union. Hence, there may be no outer or inner defences against illicit drug trafficking.

Suggested courses of action

At the national and regional levels

281. The authorities of the union should propose to the States members of the union that, in their common interest, they should agree on specific measures to be taken by authorities of each State for the purpose of interdicting the passage of suspect shipments of narcotic drugs and of known traffickers into the territory covered by the union.

282. Likewise, and without prejudice to the principle of freedom of movement of goods and persons laid down in the treaty establishing the union, the States members of the union would agree inter se to inform each other, and in particular the law enforcement agencies, of any suspect cross-border movement of drugs or of traffickers that comes to the notice of their authorities.

283. The expenses incurred in consequence of the measures described in the two foregoing paragraphs would be defrayed from the common resources of the union or in such other manner as may be determined by agreement among the States members of the union.

Target 26. Surveillance of land, water and air approaches to the frontier

The problem

284. Frontiers are particularly difficult to keep under effective surveillance and offer smugglers many opportunities for evasion. Similarly, possibilities for creating private air strips and for effecting parachute deliveries in remote areas have been widely exploited by traffickers. To supplement the controls applied by the police and customs authorities at official points of entry, more complete coverage of frontiers, airspace and remote areas is needed to protect societies from the nefarious activities of the illicit traffickers in drugs.

Suggested courses of action

At the national level

285. In countries having the necessary financial and material capability, the national guard, coast guard and air control authorities, civil aviation agencies and other related agencies with responsibility in this area should develop and implement plans for the surveillance of air and water approaches by the development of appropriate means and equipment in order that suspect movements may be reported promptly to customs and other law enforcement agencies. Coast guard or similar agencies should be authorized to stop and search vessels and aircraft on reasonable grounds of suspicion of illicit carriage of drugs.

286. Ministries of Transport should enact appropriate regulations to ensure that all private aircraft are licensed and subject to flight control.

287. The Ministry of Transport or other appropriate authority should consider making regulations where they do not already exist, requiring all privately owned aircraft and boats, including pleasure craft, arriving from abroad outside any official port of entry, to report immediately to the nearest designated authority, giving full details of port of origin, cargo, passengers, owners and pilot, in order to request permission to refuel and obtain supplies. The non-observance of such regulations should be punished. Persons or companies providing fuel or supplies to such craft without verifying that they have permission would be liable to fines or other penalties.

288. Ministries of Justice, Trade and Transport, or other appropriate authorities, should ensure that customs services and the police responsible for combating illicit trafficking are provided with efficient communication networks and means of transport and that their staff is trained to deal with drug trafficking between official points of entry. In countries that lack the financial resources to develop the necessary installations, networks, equipment and facilities for training, the Government should propose projects qualifying for multilateral or bilateral assistance for the purpose of obtaining them.

289. Non-governmental associations of amateur pilots, yachtsmen and owners of pleasure craft and owners of private aircraft, boats and ferries, as well as associations of commercial and private fishermen and hunters and their individual members, are urged to co-operate with law enforcement authorities by reporting to these authorities suspected criminal activity, including drug trafficking activities.

290. Law enforcement agencies should establish telephone "hot" lines that are free of charge and connected to a permanently manned office, so that any person may report suspect occurrences without fear of reprisal.

291. The Ministry of Transport or other appropriate authority should establish and maintain a system of licensing for private aircraft, boats, airstrips and marinas. Individuals or organizations of them should be encouraged to report to law enforcement agencies suspected criminal activities, including drug trafficking activity.

292. Civic awards should be created for outstanding service in this regard by individuals and non-governmental associations.

At the regional and international levels

293. Ministries of Transport and air control and other authorities concerned should strengthen flight control regulations in co-operation with their counterparts in the region and on a world-wide basis.

294. Ministries of Justice and the Interior or other appropriate authorities should, together with law enforcement agencies at the national and local levels, ensure that clear and effective channels of communication with corresponding agencies in other countries are established and maintained.

295. Ministries of Justice, Transport, Commerce and Foreign Affairs or other appropriate authorities should take full advantage of regional and inter-regional co-operative mechanisms, of the sessions of the Commission on Narcotic Drugs and its Sub-Commission on Illicit Drug Traffic and Related Matters in the Near and Middle East, regional meetings of Heads of National Drug Law Enforcement Agencies, and of ICAO, IMO, CCC and ICPO/Interpol and IATA, in order to ensure maximum co-operation and consistency of implementation and training methods in safeguarding and strengthening the security of frontiers.

Target 27. Controls over the use of the international mails for drug trafficking

The problem

296. Customs services have determined by various techniques, including sniffing dogs, sensing devices, X-rays, and the like, that controlled substances are being sent through the international mails notwithstanding the prohibition of such use of the post by the Universal Postal Convention. If the suspicious item is destined for delivery within the national territory, the customs service may obtain a search warrant and open the item for inspection, if the national laws so provide. However, if the suspicious item is in transit in the mails through the territory of the State whose authorities detect the illicit shipment, article 1 of the Universal Postal Convention and of the Constitution of UPU provides that postal items in transit through a State Party may not be opened. When this problem was discussed between CCC and UPU, the latter invited postal administrations:

"(a) To co-operate in combating the traffic in narcotics and psychotropic substances whenever they are legally required to do so by their national authorities responsible for this matter; to ensure respect for the fundamental principles of the international Post, in particular, the freedom of transit (article 1 of the Constitution and of the Convention);

"(b) To make all appropriate arrangements with the relevant authorities of their countries to ensure that bags of mail in transit suspected of enclosing items containing narcotics or psychotropic substances are not opened, but to:

"(i) Advise by the quickest means, at the request of their customs authorities, the administration of destination so that the suspected bags can easily be identified on arrival;

"(ii) Verify the origin of the mail."

In effect, this provides for a procedure not unlike controlled delivery for postal items in transit, a procedure already available with respect to items addressed to domestic destinations. However, the detection of suspicious items in the huge volumes of mail involved is no easy task, regardless of the destination of the items.

Suggested courses of action

At the national level

297. The ministry responsible for postal communications and the national postal authorities should strengthen controls over the use of the international mails for drug trafficking. Items that are suspect by reason of origin, address, nature, or other characteristics should be subjected to a test by a sensing device, sniffing dogs, X-ray or other mode of detection by postal authorities working closely with customs and:

(a) If the item is addressed to a person located in the national territory, the customs service should obtain a search warrant and inspect the item;

(b) If the item is in postal transit, the customs service should urgently notify the customs authorities of the State of destination, by the quickest possible means, fully identifying the item and indicating its origin.

298. Local post offices should prominently display notices giving particulars of the penalties that are by law applicable to the use of the postal service for the carriage of controlled substances.

At the regional and international levels

299. UPU should provide States parties to the Universal Postal Convention with models of standard procedures for co-operation of postal authorities with customs.

300. The States parties to the Universal Postal Convention should further consider how to prevent the use of the international mails for drug trafficking; for this purpose they may wish to propose appropriate amendments to the Convention.

Target 28. Controls over ships on the high seas and aircraft in international air space

The problem

301. Trafficking gangs use ships and aircraft to move drugs illicitly between countries, outside national jurisdiction, on the high seas and in international air space. As the country of destination is often unknown, appropriate techniques for interception need to be devised that do not interfere with legitimate passage and commerce. While article 108 of the Convention on the Law of the Sea 5/ provides that the State of registry may ask assistance from another State in order to board and seize a suspect vessel of its registry, existing national legislation may not in some cases include provisions empowering the authority concerned to carry out all the necessary procedures for interception, prosecution and judicial action.

Suggested courses of action

At the national level

302. Should the Ministry of Justice or other appropriate authority have reasonable grounds for suspecting that a vessel or aircraft registered under the laws of the State is illicitly carrying drugs, it may request another State to assist in carrying out a search, for example that other State may be asked to direct its authorities to board or order grounded and inspect the vessel or aircraft and, if drugs are found, to seize them and arrest persons involved in the trafficking. In such circumstances, the State's own authorities may board or seize a vessel or aircraft registered under its laws.

303. The law enforcement authorities should undertake to board or seize a vessel or aircraft if there are reasonable grounds for believing it is unlawfully carrying drugs, provided that the authorization of the State of registry has been obtained, and in cases where the vessel or aircraft is bearing no visible flag or other evidence of registry.

304. The Ministry of Justice or other appropriate authority should, after the seizure of such a vessel or aircraft, deal with illicit drugs and traffickers found thereon under its own laws if the conveyance is registered under its country's laws or, if registered under the laws of another State, pursuant to such agreement as is reached by it with the State of registry.

305. Each State party should authorize the co-ordinating agency designated pursuant to article 35(a) of the 1961 Convention and article 21(a) of the 1971 Convention to take appropriate action in these matters. This action should include the prompt communication of information indicating whether a particular vessel or aircraft is registered under the laws of the requested State and also authority to empower a requesting State to seize the suspect conveyance.

At the regional and international levels

306. The international bodies and States concerned with the preparation of the proposed new convention against illicit traffic in narcotic drugs and psychotropic substances should ensure that its provisions establish international standards for the interception, seizure and disposition of vessels and aircraft suspected of carrying drugs illicitly, and of the drugs and traffickers found thereon. The new convention should contain appropriate provisions concerning methods of implementation.

IV. TREATMENT AND REHABILITATION*

Introduction

307. In many cultural patterns and in all regions, man has had recourse to drugs for various purposes: ritualistic, initiatory, diagnostic, dionysiac or therapeutic. In response to the obvious dangers, societies have made laws or pronounced taboos to prevent abuse and to protect the community.

308. The upsurge of drug addiction since the 1960s represents a previously unknown phenomenon, at least so far as its dimensions are concerned. Addiction spread over the entire planet, sparing no nation, no social class and no age, regardless of sex and race. The damage caused to the physical and social health of individuals and of communities has made of drug addiction a public hazard on the world scale. Addiction has become a matter of serious concern to many Governments, for it affects public and social health.

309. Because drug dependence is a phenomenon with world dimensions and ramifications, its treatment calls for collaboration on a global scale and in a multidisciplinary context.

310. Treatment for drug dependence is difficult and complex, because it is an integral part of a global policy, including treatment in the medical sense, rehabilitation and social reintegration and culminating in the drug dependent person's return to a drug-free life. Great importance should be ascribed to social, cultural and environmental factors. Particular stress is laid on the multidisciplinary aspects of the strategy of treatment, which involves the participation of experts from several specialities: physicians, psychiatrists, psychologists, pharmacists, social workers, sociologists, nurses, educators, jurists, ergotherapists, voluntary workers, and others. The participation and support of the family is no less indispensable. In fact, a successful treatment mitigates the health and social consequences of drug abuse and thus reduces pari passu the use of drugs, the activities of traffickers and the risks of relapse.

*Many of the ideas in this chapter have their origin in comments or suggestions communicated by WHO. Because they are numerous, they are not individually attributed.

Target 29. Towards a policy of treatment

The problem

311. The definition of a clear and precise policy is fundamental to the conduct of treatment operation. It is well known that, apart from its health and social implications, drug abuse has economic repercussions which constitute serious handicaps to the development of some countries, impairing the productivity of citizens and representing heavy charges on medical and social support systems. Treatment has often suffered from the lack of guiding principles and a lack of cohesion - each category of experts tended to pursue its own programme in isolation. For a long time, law enforcement measures played, directly or indirectly, an important part as the only alternative to treatment. Owing to the inconsistency of the results of this combination with those obtained by self-help associations, for example, the concept that eventually prevailed was that drug dependence was a disease amenable to treatment. For this purpose, a coherent policy of action is needed, avoiding dissipation or duplication of effort and making possible the integration of the programme into the general primary health care plan. It must be a policy that permits the judicious choice of objectives, the identification of target groups at risk and the establishment of an order of priorities. Therapeutic measures can operate more effectively with the participation of the community.

Suggested courses of action

At the national level

312. The Ministry of Health, in collaboration with other ministries concerned (Security, Interior, Social Affairs, Justice, Agriculture, Education), should take action to establish a nation-wide co-ordinating body to be responsible for co-ordinating and giving guidance to the development and maintenance of the national treatment programme for drug dependence.

313. It is essential to collect data (without prejudice to confidentiality), identify priority targets and groups at risk and estimate the cost of programmes and of the resources available. The medical files of health services, the records of the social service and court documents are all potential sources of data. The data should be supplemented by systematic field surveys, which might be carried out by researchers and institutes in the social sciences.

314. The Ministry of Health or other appropriate authority, in conjunction with the ministries or authorities responsible for education, law enforcement, security, employment etc., should work out, in the light of the data gathered by statistical services, customs authorities or other agencies concerning drug abuse, illicit trafficking and the incidence of drug-related diseases, a national policy, and a programme for its implementation, to prevent and reduce drug dependence and for reintegrating drug dependent persons into social and occupational life. Provision should be made for the periodic testing of the functioning of the plan.

315. The various targets, methods and priorities should be strictly laid down in order to facilitate implementation of the programme. Work should proceed on the basis of and with the facilities available, improvements being introduced progressively. The start should not be delayed by aspirations to achieve perfection. Methods which do not take account of the actual local situation should be avoided. Allowance should be made for the changing nature of addiction by making provision for possible adjustments in the light of the demands of the moment.

316. With a view to offering incentives to bodies and institutions in the private sector which carry on research into drug abuse or which perform therapeutic functions, social welfare services or services of some other kind in support of the community efforts to combat drug abuse and to treat and cure drug dependent persons, the Ministry of Finance or other appropriate authority should consider favourably the idea of giving concessional fiscal treatment to academic and philanthropic institutions performing such functions or services (in so far as they are not already eligible for such treatment under the existing tax legislation). Likewise, the waiver of customs duty on articles imported by these institutions in connection with their work in this field should receive the Ministry's favourable consideration.

At the international level

317. WHO should identify the principal factors to be taken into account in the formulation of a policy for the treatment of drug dependence.

318. Where appropriate, WHO should provide technical assistance to member States at their request in establishing or strengthening national policy for the treatment of drug dependence.

319. In view of the diversity of definitions, which may vary not only from country to country but also from state to state in federal States, and since the present definitions used by WHO are not universally accepted at the national level, expert bodies of WHO might be asked to define more precisely the meaning of terms such as "drug abuse", "drug dependence" or "drug addiction".

320. Where national authorities propose legislation concerning treatment, they should:

- (a) Take into account the definitions as agreed;
- (b) Consider whether or to what extent the proposed legislation is reconcilable with the existing national law and with the provisions of the Conventions of 1961 and 1971.

Target 30. Inventory of the modalities and techniques of treatment available

The problem

321. After an action policy has been adopted, an inventory is needed of the modalities and techniques actually available at the national level for undertaking the treatment, rehabilitation and social reintegration of drug-dependent persons. In most countries, many different services and agencies are involved in the prevention of drug abuse and in the treatment and rehabilitation of drug abusers. Some are specialist, others are generalist. Some are centrally funded, others are locally funded, and some depend on voluntary contributions. In the absence of evaluation and co-ordination this network of services will develop haphazardly and without regard to the manner in which each is expected to complement the others.

322. It is important that the treatment system should be carefully planned and properly co-ordinated in order to make better use of existing resources. Appropriate intervention, possibilities for care and referral mechanisms should be available and be integrated within the primary health care system. Furthermore, it is essential that the provision of services in all of the treatment areas should be monitored and evaluated. Sound monitoring and evaluation can lead to a more efficient and cost-effective use of resources.

Suggested courses of action

At the national level

323. The Ministries of Health and Social Welfare should:

(a) Draw up an inventory of and evaluate the facilities for treatment actually available at the national level, their capacities and their locations. The inventory should include information regarding the staffing, objectives, methods and other characteristics of the treatment provided;

(b) In co-operation with the fiscal and legislative authorities, the apportionment of resources should be adjusted in the light of priority targets and of the groups at risk;

(c) The material and manpower in the various professional categories involved should be evaluated jointly by both Ministries, taking into account the resources actually available at the national level.

324. The Ministry of Health or other appropriate authority should establish a body or unit which would be responsible specifically for evaluating the efficacy of methods of dealing with cases of drug abuse or, in cases where that body or unit considers that other, more effective methods should be applied, for recommending a change of methods. From time to time the nation-wide co-ordinating body should critically evaluate the progress made and make recommendations for the future.

At the regional and international levels

325. Close collaboration should be established or maintained with WHO, which should place at the disposal of Member States its collection of data on the results obtained in various countries. In the light of this information, national strategies may be revised.

326. WHO, in collaboration with the Division of Narcotic Drugs, should gather data on modalities and techniques of treatment available, as well as on their application. Such information should be widely disseminated, in particular to countries that lack relevant experience.

327. Exchanges of experts with other countries should be encouraged under the auspices of WHO. These exchanges should make it possible to form a comparative estimate of the progress of work and to obtain impartial views.

328. WHO should undertake comparative studies as between various countries or regions, which would make it possible to evaluate national programmes of treatment.

329. WHO might be requested to provide technical assistance, and the United Nations Fund for Drug Abuse Control to provide financial assistance, in connection with epidemiological studies and research into the aetiology of drug dependence.

330. Regional seminars should be organized for more extensive information and mutual benefit. These seminars would be attended by experts from ILO, WHO, UNESCO and other bodies whose experience in their respective fields is essential. Assistance by the United Nations Fund for Drug Abuse Control may be required.

331. Regional retraining courses should be arranged, enabling participants to learn about the latest developments in the field of the treatment of drug addiction and drug dependence.

332. The need for a common language calls for the preparation by WHO of a glossary of terms and expressions in use in the area of drug dependence. With the aid of such a glossary, experts of various nationalities would be able to understand each other better and more accurately.

333. A handbook or compendium of treatment techniques prepared by WHO for use by workers in the field would be of great value.

Target 31. Selection of appropriate treatment programmes

The problem

334. The selection of treatment programmes is fraught with various difficulties. It should take account of the local social, cultural and environmental factors for the purpose of mobilizing local resources and energies and facilitating a drug dependent person's social reintegration. The programme model should be personalized, i.e. its thrust and form should correspond to the nature of the drug and to the personality of the drug abuser. Drugs do not all produce the same kinds of dependence. Some people misuse drugs without being drug-dependent. Also, people who have recourse to drugs do so for different reasons. In some cases the use of drugs masks a pathological condition.

335. The cost of treatment is a factor of great importance, as is simplicity of application of a model. Sophisticated models have not yet offered conclusive evidence of their greater efficacy. Such techniques as the continued provision of controlled amounts of the addictive substances in question or their replacement by other addictive substances, e.g. methadone, have not proved unequivocally successful in reducing the rate of recidivism, as compared with other methods such as the immediate cessation of the consumption of the addictive drug or the progressive withdrawal of the drug. Care should be taken not just to imitate what is being done elsewhere, without adaptation, as what succeeds in one case may fail in another.

Suggested courses of action

At the national level

336. The Ministries of Health and Social Welfare, having prepared the inventory referred to in target 30, should evaluate the cost and feasibility of each model, and identify alternative modes of treatment, to anticipate possible changes or shifts of emphasis in the model.

337. The Ministry of Health or other appropriate authority should issue guidelines addressed to the members of the medical and paramedical professions, to educational establishments, social welfare agencies and others concerned, recommending that, in cases where they have to deal with drug dependent persons, they should not ignore the possibility that the dependence or abuse had its origin in a psychopathological condition (rather than in a criminal activity), which may require treatment by psychotherapeutic or chemotherapeutical means (based on a suggestion by the United States of America).

338. The Ministry or authority concerned should issue guidelines recommending that those administering treatment should adjust the modalities of treatment in the light of changing patterns of drug use, e.g. the appearance of more potent drugs, increased poly-drug use, and other factors. In addition, they should take into account situations where the drug habit is aggravated by the presence of certain diseases.

339. The Ministry of Health (or Social Welfare), or other appropriate authority, in countries where drug addiction has assumed or threatens to assume serious dimensions, should establish centres (in so far as they do not already exist) for carrying out detoxification operations and for treating serious cases. The Ministry or authority concerned should advertise or cause to be advertised widely the locations of such centres and the services

offered. Provision should be made for seeking out drug-dependent persons in their customary environment with a view to guiding them towards treatment; this function might be fulfilled by social workers.

340. Where appropriate, groups of volunteers and former addicts should form part of treatment and rehabilitation teams; their devotion and experience represent a valuable asset.

341. Treatment programmes should make provision for involving the families of drug-dependent persons. In countries where the resident population is covered by public health insurance schemes it might be useful for the various ministries concerned (e.g. Health, Finance, Social Welfare, Labour) to obtain precise information on the cost to the nation, for example in terms of public funds, time lost, personnel, material and medicaments, of the treatment of drug-dependent persons that necessitates their absence from school or training courses or from work. In the light of the information and of the success rate of treatment the ministry concerned may make recommendations concerning the circumstances in which out-patient treatment of such persons may be preferable to their in-patient treatment.

342. Where appropriate, the Ministry concerned may wish to recommend that health insurance schemes, whether public or private, should offer the insured persons coverage of the expenses of detoxification, treatment for drug abuse and rehabilitation.

343. In cases where the drug dependence has not reached a level at which the person concerned may be or should be admitted to an institution for longer-term treatment, consideration might be given to counselling the persons to attend a day-care centre or a night-time shelter where coercive measures are not applied and where out-patient care might be given.

344. In urban environments where the risk of addiction is considered to be particularly high in certain social groups or age groups, the civic or municipal authority might be invited by the Ministry concerned to establish a permanently staffed emergency aid centre specially designed to respond to urgent appeals for help by addicts or their families. The centre might be staffed by volunteers.

345. The Ministry concerned should consider the possibility of supporting, financially or otherwise, private initiatives such as self-help associations and anonymous groups which have proved to be useful in providing care for drug abusers or for persons at risk of becoming drug-dependent or for persons who have undergone a course of treatment for addiction and who may need to be protected against relapse. Such initiatives may relieve congestion in public health institutions and may be found to be cost-effective.

At the regional and international levels

346. WHO may be asked by Governments of countries needing assistance to send experts to help in setting up a treatment programme.

347. Regional meetings should be organized by regional bodies to assess the progress of work and consider future projects as regards the treatment of drug dependence.

348. WHO should consider publishing operational manuals for use by local sponsors of treatment programmes.

349. Ministries of Health of different countries should consider the possibility of seconding to each other senior staff in charge of treatment programmes, in order that they may have an opportunity to broaden their experience.

Target 32. Training for medical and paramedical staff
and other professionals

The problem

350. A broad range of professionals deal with drug dependent persons: police officers, social workers, medical and paramedical staff, lawyers, judges and prison guards. But even in "key" areas concerned with drug dependence, many professionals receive little or no formal education in this field; hence they are not always able or willing to assume their responsibility for taking account both of the general health needs and of the special needs of the drug-dependent persons entrusted to their care.

351. Owing to this lack of education, training and practice, many professionals are not sure how to handle cases of drug dependence, and this may sometimes lead to improper professional practice.

Suggested courses of action

At the national level

352. The Ministry of Health should appoint a working group consisting of experts, specialist workers and others (including social workers, teachers, police and voluntary workers) working closely with cases of drug abuse to design specific curricula for specific groups of professionals.

353. Where provision for training already exists, the working group should identify and fill gaps in the curriculum. This should be done through close consultation with persons and organizations responsible for the delivery of services. The medical curriculum should contain a syllabus concerning the treatment of drug abuse (also reflects a suggestion by the Acuerdo Sudamericano sobre Estupefacientes y Psicotr6picos).

354. The working group should develop or adapt appropriate manuals for training health care workers in the management and treatment of drug-dependent persons.

355. The medical curriculum should include instruction in methods of monitoring and evaluating the effect of various forms of treatment of drug dependent persons.

356. Specialized training courses should be established (in so far as they do not already exist) that confer professional and academic status (i.e. recognized by professional bodies or teaching institutions) and degrees or titles entitling graduates of the course for certain advantages (e.g. seniority or higher salary). Wherever possible, training courses should avoid narrow specialization by profession and should bring together all workers concerned with similar issues.

357. The Ministry of Health or other ministry concerned might suggest that professional organizations should include rules of conduct concerning the handling of drug-related cases in their general rules or professional standards.

At the international level

358. WHO should, on request, provide advice on the content of existing training courses and suggest general guidelines for States wishing to establish courses de novo.

359. WHO should develop specific means of instruction and materials to be used for training purposes that can be integrated within national training programmes and applied as appropriate by local training staff.

360. WHO should develop a training manual for distribution to countries at their request.

361. In certain parts of the world it may be cost-effective to establish courses on a regional rather than a national basis. The regional offices of WHO may be consulted in cases where countries wish to initiate regional training courses concentrating on the treatment of drug dependence.

Target 33. Reduction of the incidence of diseases and the number of infections transmitted through drug-using habits

The problem

362. A large number of persons misusing drugs suffer from diseases not caused by the drug itself but by secondary factors connected with a certain life style or a special method of drug application (especially intravenous), thus creating health hazards not only to themselves but also to others. While some of those hazards may affect individuals only (e.g. damage to the column of the nose caused by sniffing habits), others may have a wider impact, such as the acquired immunodeficiency syndrome (AIDS) and certain communicable diseases, such as hepatitis, which may be spread by the use of the same hypodermic syringe by different persons, one of whom has the disease.

Suggested courses of action

At the national level

363. The Ministry of Health should collect the data available on the frequency of contagious diseases among drug users. For this purpose the Ministry should undertake or cause to be carried out (in so far it has not already done so) a scientific investigation to determine, inter alia:

(a) The different diseases prevalent among the drug-using population, the number of persons already infected and the number of persons at risk;

(b) The channels of contagion and their possible relation to the drug-using habit;

(c) Possible means of halting the transmission of the disease.

364. Especially in cases where possible infections tend to become a health hazard to larger segments of the society and where a certain drug-using habit cannot be stopped immediately but is known to accelerate the spread of the contagion, the Ministry of Health should consider inviting experts to study possible prophylactic measures and to make recommendations accordingly. The Ministry of Health and other appropriate agencies should publish information about those health hazards and about ways of avoiding them, both among the drug-using population and in the community at large.

At the international level

365. Information about experience in the field of the treatment of drug-related infectious diseases should be communicated to WHO, which should analyse the data and publish its conclusions.

366. WHO may be asked by the Ministry of Health to send experts or provide other information about such diseases to help to identify existing health hazards, groups at risk and possible dangers in the future and in planning strategies for counteracting them.

367. WHO should consider publishing guidelines for dealing with drug use in cases where it is associated with contagious diseases.

Target 34. Support to former drug-dependent persons within the community

The problem

368. The treatment of a drug-dependent person does not end until that person is reintegrated into society, that is, when the person is restored to the community, is rid of the constraints of the drug and is performing a useful function.

369. Detoxification represents but one phase and only a small part of the treatment process. It is regrettable that in many countries treatment stops at detoxification. What happens in such cases is that the treatment of drug-dependent persons is equated with the exclusively medical model. When the physiologically critical phase is passed and the damage to the organic and/or mental functions has been made good, the task of the medical team is regarded as completed. But the person thus discharged will have great difficulties in readjusting to life, or in maintaining a drug-free life in society. The risk of recidivism is both real and serious. Detoxification must therefore be succeeded by rehabilitation, which is a long process aimed at teaching the individual to resume civic life free of the chains of the drug. The rehabilitated drug user learns to give a meaning to life, to establish a healthy relationship with others and to face the difficulties of day-to-day life without recourse to drugs.

370. The purpose of treatment is to secure the individual's return to a drug-free life. This is rendered difficult by a series of factors for which allowance must be made: the prejudices that in some social groups stain the reputation of the drug abuser, even after treatment, poor or non-existent occupational qualifications, awkwardness and poor performance at school and at work, resistance to discipline, tendency to instability - all these are negative factors on the road back to a productive drug-free social life. Moreover, some former drug-dependent persons, for fear of revealing their past, are reluctant to offer themselves openly on the labour market; they do not dare to make use of the social niches placed by society at the disposal of all.

Suggested courses of action

At the national level

371. Inasmuch as the success of treatment of drug-dependent persons can be evaluated only by reference to the extent to which they have been integrated into society and into a drug-free environment at home and at work, and as the risk of recidivism is always present where the facilities and resources for after-care are lacking or inadequate, the Ministry of Health (or Social Welfare) or other appropriate authority should ensure that after-care services are provided on a scale commensurate with needs (from a suggestion by the Federal Republic of Germany).

372. Youth movements (e.g. scouting), sports clubs and like associations, as well as associations of former drug users, should be encouraged to make their contribution towards the rehabilitation and social reintegration of former drug users.

373. In appropriate cases religious organizations might provide assistance to former drug users.

374. The Ministry of Education in conjunction with other ministries concerned and voluntary bodies (e.g. parent organizations) should initiate or expand

programmes for associating families in the process of rehabilitation and reintegration.

375. By reason of the deleterious effect of enforced idleness, particularly among the young, the Ministry of Labour or other Ministry concerned should take into account, when shaping the country's employment policy, the desirability of creating employment opportunities for persons specially vulnerable to the risks of drug abuse, because of their age, social environment, lack of skills or for any other reason. The Ministry concerned should consider working out, in consultation with employers' and workers' organizations, special job-creating schemes for the benefit of such persons, and if possible should support such schemes by the grant of financial or other assistance (from a suggestion by the Federal Republic of Germany).

376. The Ministry of Health or other appropriate authority should give strict instructions, applicable to both public and private institutions, clinics, hospitals or other treatment centres, to the effect that confidential data disclosed to the centre or institution concerned by a medical practitioner about drug users who have received or are under treatment there, or disclosed by the persons themselves, must not be divulged to any unauthorized person or agency and must not in any case be used in any manner that might prejudice their chances of resuming a position in society and of finding employment.

Target 35. Care for drug-dependent offenders within the criminal justice and prison system

The problem

377. According to the provisions of the 1961 Convention (article 36, paragraph 1(b) and article 38, paragraph 1) and the 1971 Convention (article 20, paragraph 1, and article 22, paragraph 1(b)) the parties should consider providing, either as an alternative to conviction or punishment or in addition to punishment, that abusers of drugs and/or of psychotropic substances should undergo measures of treatment, education, after-care, rehabilitation and social reintegration.

378. A large number of drug-using persons come into contact with the criminal justice system. In some States drug-related offences represent more than half of all the criminal cases dealt with by the courts. As a consequence, many of the offenders are then channelled through the correctional institutions, and in some States offenders convicted of drug-related offences form the majority of the prison population.

379. Hence the criminal justice and correctional system occupies a prominent place in the handling, treatment and rehabilitation of persons who have committed a criminal offence against the legislation governing narcotic drugs and psychotropic substances or a criminal offence for the purpose of obtaining illicit supplies thereof or while under the influence of such drugs or substances.

Suggested courses of action

At the national level

380. The Ministry of Justice (or other appropriate authority), in collaboration with the other ministries (Health, Interior etc.) concerned, should collect the data available on the incidence of drug dependence among offenders. The Ministry or authority should:

- (a) Prepare a list of offenders who are drug dependent by categories of substance and age;
- (b) Make a detailed inventory of the institutions able to offer facilities for appropriate treatment;
- (c) Draw up a list of persons qualified to conduct treatment under these conditions;
- (d) Evaluate the costs of the undertaking;
- (e) Evaluate the possibilities for co-operation with the health services.

381. In countries where it is known or believed that a substantial proportion of the total prison population is accounted for by persons serving sentences imposed for drug-related offences, or being held in custody pending trial for an alleged drug-related offence, the Ministry of Social Welfare or other ministry concerned should undertake or cause to be carried out (in so far as it has not already done so) a scientific investigation for the purpose of determining, inter alia:

(a) The number of persons serving sentences for drug-related offences, broken down according to age groups;

(b) The number of persons in custody charged with such an offence and awaiting trial;

(c) The proportion of the total prison population accounted for by persons convicted of or charged with drug-related offences, including offences committed while under the influence of drugs;

(d) The type and number of offences committed by persons in the categories described in the preceding subparagraphs;

(e) The male-female ratio among prisoners convicted of or charged with drug-related offences;

(f) The proportion among prisoners convicted of or charged with such offences that is accounted for by persons previously convicted or accused of such an offence;

(g) The proportion of such prisoners that is accounted for by persons who have previously received therapeutic treatment by reason of drug-dependence.

382. In the light of the results of the investigation, the ministry or ministries concerned should consider in what respects the national plan or policy for dealing with drug abuse and illicit trafficking needs to be reviewed, amended or strengthened with a view to reducing the number of persons imprisoned by reason of drug-related offences. If it should decide to publish a report containing the results of the investigation, the ministry should invite research institutes, research workers, sociologists, criminologists, experts in the law, specialized non-governmental organizations and other interested bodies to submit comments on the report and to suggest remedial measures.

383. In countries where the relevant information is not yet available and where the treatment of drug-dependence is under study or review, the Ministry of Health might consider carrying out or causing to be carried out a statistical survey for the purpose of determining what proportion of the inmates of institutions for the treatment of mental diseases is accounted for by drug abusers and former drug-dependent persons. In the light of the data and after consultation with experts, the Ministry may wish to make appropriate changes - if needed - in the national policy for the treatment of drug dependence, or in the guidelines for the treatment of drug-dependent persons, or in the conditions governing admission to and discharge from such institutions.

384. In cases where the appropriate national authority is contemplating preparing new legislation that would make drug-related offences punishable by more severe penalties than are applicable in respect of such offences under the existing law, it should invite comments on its proposals from scholars and experts in the law, from youth leaders, social workers and others having direct experience of the behaviour of drug-dependent offenders. The principal object of such consultations should be to ensure that the proposed legislation will not conflict with the longer-term objectives of the campaign for reducing the illicit demand for drugs, drug abuse and illicit trafficking and will not tend to add to the number of hardened offenders.

385. The Ministry of Justice (or appropriate authority) should direct (in so far as it has not already done so) that the necessary medical care should be provided for drug dependent persons held in custody pending trial and for convicted drug abusers, inter alia:

(a) That the person should be examined by a medical practitioner as soon as possible;

(b) That controlled detoxification should be affected, especially in cases where prescriptions for controlled drugs have been received by the drug-dependent person;

(c) That in-house treatment, psychiatric or other support should be offered.

In cases of first offenders and especially for those persons serving short-term sentences, the Ministry of Justice might consider proposing regulations allowing continued visits from previous medical and other staff, or even, at the end of the prison term, out-patient counselling.

At the international level

386. The Centre for Social Development and Humanitarian Affairs of the Department of International Economic and Social Affairs of the United Nations Secretariat should co-ordinate, in co-operation with the United Nations Social Defence Research Institute, the United Nations regional institutes for criminological research and WHO, research into the interdependence of activities for the prevention of crime and the treatment of offenders.

387. The ministries concerned should arrange exchanges of experience of treatment alternatives and intramural rehabilitation efforts, especially for legal staff and personnel of the correctional system.

388. WHO and the United Nations Social Defence Research Institute might consider preparing guidelines for the treatment of drug-dependent offenders.

Target 36. After-care and post-treatment assistance

The problem

389. A former drug abuser is a fragile being who has passed through a difficult stage. Assistance is needed by such persons in order that they should be able to readjust to social life and its constraints. By helping the individual to take a place in its midst, society is helping itself. The community, which, after all, has stood by the drug-dependent person throughout the period of treatment, should mobilize resources for assisting this person thereafter.

390. In most cases, drug dependence occurs first at an age when the person has not yet acquired mastery of a trade or occupation, or else, if it occurs later, it often disorganizes work habits. The drug-dependent adult who has been treated runs into almost insurmountable difficulties in attempting to resume civic life. Hence, in order to preserve the benefit that treatment has brought, it is essential to find employment for such persons after their discharge from the treatment centre or like institution. In many cases these are young people who have never had or carried on an occupation. The youngest will, after aptitude tests, be returned to the classroom. The others ought to learn a trade in keeping with their preferences and the local possibilities. Those who have lost the habit of work should be retrained. If, however, the return to the former job constitutes a hazard, the person concerned should be guided in another direction.

391. The guiding principle is that the particular programme should be adopted which is least costly within the community. Attention should be given to on-the-job apprenticeships in various crafts. Master craftsmen in the community may accept apprentices in return for some financial compensation by the community. This policy is sometimes preferable to the establishment of vocational centres or schools, which calls for the investment of resources not always immediately available, particularly in the developing countries.

392. Consideration might be given to the rehabilitative value of outdoor work for addicts. In the rural environment vocational training might concentrate on agricultural pursuits.

Suggested courses of action

At the national level

393. Employers should be invited to contribute to the treatment of addicted employees by keeping the work-place open during the period of treatment or agreeing to the person's reinstatement after discharge. At enterprise level, early detection and assistance under conditions of confidentiality should be encouraged.

394. The Ministry of Labour should urge employers to reserve quotas of jobs for former drug-dependent persons and publish lists of vacancies that might be suitable for such persons.

395. Trade union organizations should consider assisting the family of the member who has become addicted and who is under treatment.

396. The support of professional and occupational associations and chambers of commerce and industry should be enlisted for the purpose of opening up possibilities of apprenticeship and placement for former drug users. Social workers should help in finding employment for such persons.

397. The Ministry of Labour or other ministry concerned might wish to consider inviting a non-governmental organization to suggest a scheme for aiding persons who have been receiving treatment for drug dependence and who have good prospects of being cured to readjust to life in society. Such a scheme might be modelled mutatis mutandis on those operated by discharged prisoners' aid societies, and should avoid any hint of moral stigma attaching to the person concerned. Similarly, the ministry concerned might consider inviting philanthropic or other non-governmental organizations to offer aid and counselling services to former drug abusers and their families in need of advice or support.

At the regional and international levels

398. Governments and workers' and employers' organizations may wish to ask ILO for technical assistance and expert advice in setting up schemes for the reintegration of former drug users in occupational activities or for their vocational training or retraining. ILO might consider publishing guidelines for this purpose.

399. Regional bodies might consider establishing schemes to be operated jointly by two or more of their member countries for the social reintegration of former drug users.

Notes

- 1/ United Nations, Treaty Series, vol. 976, No. 14152, p. 106.
- 2/ Ibid., vol. 1019, No. 14956, p. 176.
- 3/ E/INCB/1984/1 (United Nations publication, Sales No. E.84.XI.4), paras. 36 and 37.
- 4/ E/INCB/1985/1 (United Nations publication, Sales No. E.85.XI.1), paras. 14 and 61.
- 5/ Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.