

18 May 2012

Arabic, English and French only*

**Twenty-second Meeting of Heads of National
Drug Law Enforcement Agencies, Africa**

Accra, 25-29 June 2012

Item 4 of the provisional agenda**

**Implementation of the recommendations adopted by the
Twentieth Meeting of Heads of National Drug Law
Enforcement Agencies, Africa****Implementation of the recommendations adopted by the
Twentieth Meeting of Heads of National Drug Law
Enforcement Agencies, Africa*****

1. The Twentieth Meeting of Heads of National Drug Law Enforcement Agencies (HONLEA), Africa, held in Nairobi, from 13-17 October 2010, adopted a set of recommendations following the consideration by the working groups regarding the issues indicated below.
2. In accordance with established practice, the report of the Twentieth Meeting was forwarded to the Governments represented at the session. A questionnaire on the implementation of the recommendations adopted at that Meeting was dispatched to Governments on 27 February 2012, with a deadline for replies by 11 May 2012.
3. The present report was prepared on the basis of information provided to the United Nations Office on Drugs and Crime (UNODC) by Governments in reply to that questionnaire. As of 18 May 2012, replies had been received from the Governments of Algeria, Botswana, Burkina Faso, Côte d'Ivoire, Djibouti, Egypt, Ghana, Nigeria, Togo, Uganda, and Zambia.

* Arabic, English and French are the working languages of the subsidiary body.

** UNODC/HONLAF/22/1.

*** This present document was submitted late owing to the late receipt of information.



Issue 1: Current illicit drug trends in Africa

Recommendation 1

4. The Twentieth Meeting of HONLEA, Africa, recommended that Governments of the region must take immediate steps to ensure that the appropriate national authorities have the legal power, knowledge, administrative procedures, training and technical support to exercise effective control over the precursor chemicals used in the manufacturing of illicit drugs.

5. Algeria indicated that the country has a mechanism for authorizing the import of chemical precursors for medical or scientific purposes, and regulations governing the conditions for granting such authorization:

- Act No. 04-18 of 25 December 2004 relating to the prevention and suppression of the use and trafficking of narcotic drugs and psychotropic substances;
- Executive Decree No. 07-228 of 30 July 2007 establishing the conditions for the authorization of the use of narcotic drugs and psychotropic substances for medical or scientific purposes.

Due to the establishment of this mechanism and associated regulations, it is possible to control effectively the movement of chemical substances that could have otherwise be diverted and/or used in the manufacturing of illicit drugs.

6. Burkina Faso reported that the country's law enforcement services have little knowledge of precursors. Training is required.

7. In Côte d'Ivoire, the Department of Pharmaceuticals and Medicines which is attached to the Ministry of Health, is responsible for the control of chemical precursors. The Department issues import permits for chemical precursors. Moreover, law enforcement officers from the customs, the gendarmerie, and the police receive training in the recognition and identification of these products.

8. Djibouti reported that the country's legislation provides for the exercise of effective control over precursor chemicals through the Psychotropic Substances Act No. 171/AN/81 of 9 February 1981; the Drug Addiction Act No. 70/AN/1320 of 31 December 1970 and the Criminal Code, articles 355-362. In addition, the Government organized seminars and workshops on the subject, both in Djibouti and abroad.

9. Egypt reported that the Government has a section dedicated for the control of precursors and chemicals which acts in close cooperation with the tripartite committee comprising Ministries (Interior, Justice and Health) in order to consider questions related to the control of precursors and chemicals, and in conformity with INCB guidelines. The government provides this section with legal authority and technical support. Additionally, specialized training courses on the control of precursors and chemicals are organized and offered as well.

10. The Government of Ghana indicated that it has in place national authorities equipped with technical support, training, and legal authority to exercise effective control over the precursor chemicals used in the manufacturing of illicit drugs.

11. The Government of Nigeria reported that the National Agency for Food and Drug Control (NAFDAC) was statutorily established to exercise effective control

over precursor chemicals and is also serving as a focal body for the subject. This Agency has responsibility for the regulation of importation of narcotic drugs and psychotropic substances including their precursor chemicals. It ensures that these drugs and precursor chemicals are not diverted to illegal use. In Kenya, two trainings were organized for law enforcement officers.

12. In Togo, the relevant legislation is the Drug Control Act and the Code of Criminal Procedure. Law enforcement officers receive periodic training in precursors and their identification. This makes it possible to exercise effective control over these substances, which are used for the manufacture of illicit drugs.

13. Uganda reported that its national drug regulatory authority, together with the customs and anti-narcotic of the police department, are mandated to control the subject precursor chemicals.

14. In Zambia, precursor chemicals have been listed in the Laws of Zambia as controlled substances and that administrative procedures have been established through the Pharmaceutical Regulatory Authority (PRA). However, there is need to invest more in training and technical support to exercise a more effective control of precursor chemicals.

Recommendation 2

15. It was recommended that, in light of an increased availability of cocaine and heroin, Governments of the region should be encouraged to take proactive measures to raise public awareness about the dangers of abusing illicit drugs and to support the development of rehabilitation and treatment facilities for those who have become dependent on such drugs.

16. Algeria reported that it continues to face the problem of use of cannabis and psychotropic substances. Meanwhile, hard drugs, although appeared in minimal quantities, do not represent a real danger at the present time in the country. Nonetheless, the various agencies combating drugs and drug addiction are making great efforts to raise the public's awareness of the dangers of illicit drug use. It should be noted that an ambitious multi-year project was launched in 2007 to set up an extensive network of drug addiction treatment centres, comprising 53 intermediate addiction care centres and 15 detoxification centres; 7 of the intermediate addiction care centres are already operational, in addition to existing facilities.

17. In Burkina Faso, proposals for awareness-raising, rehabilitation, and treatment facilities have been developed and presented to the Government, and results are pending.

18. In Côte d'Ivoire, capacity-building for staff working with drug addicts has been provided through the United Nations Office on Drugs and Crime (UNODC) Treatment project. A pilot scheme for drug abuse care has been set up at the regional law enforcement training centre in Grand Bassam. Moreover, projects on preventive measures for demand reduction exist, but there has been no effective implementation due to lack of funding. Nevertheless, ceremonies to celebrate the International Day against Drug Abuse and Illicit Trafficking are utilized in order to provide the opportunity to raise public awareness.

19. Djibouti reported that there was no problem of cocaine or heroin trafficking in the country, but there was some trafficking in cannabis. Therefore, workshops have been held to raise awareness of the dangers of illicit drugs. The country reported that there was no specific treatment structure for drug-dependent persons.

20. Egypt reported that the Government has the National Council for Fighting and Treating Addiction, which was established in 1986. The Council is a supreme national body that formulates policies and strategies concerning reduction of drug demand. Its membership comprises all concerned Ministries, including the Ministry of Information which cooperates with the Ministry of Interior in the production of documentaries to raise youth awareness on drug hazards. There is also a section in the Administration that cooperates with competent State authorities to support demand reduction efforts, and the rehabilitation and treatment of addicts.

21. In Ghana, training programmes for officers in drug education is being vigorously pursued. There are plans to establish a national drug rehabilitation centre. NACOB is also working with NGOs on the development of rehabilitation and treatment facilities in Ghana. Information campaigns using radio and TV programmes with the focus on the dangers of drug abuse with a nationwide coverage, have also been established in the country.

22. Nigeria has successfully mainstreamed preventive drug education into the school curriculum. Advocacy programmes targeting different groups are also sustained.

23. Togo reported that so far no action has been taken to implement this recommendation.

24. Uganda indicated that a Task Force was established to ensure continuous awareness campaigns on the dangers of illicit drugs. Additionally, there are four treatment facilities, one government treatment centre and three are private.

25. The Government of Zambia reported that the Commission has continued to raise public awareness about the dangers of abusing illicit drugs through sensitization programmes which have been designed for communities, institutions of learning, workplaces, traditional leaders and churches. The Government has shown commitment to the development of the rehabilitation and treatment centre by acquiring land and allocating funds towards the construction of the centre.

Recommendation 3

26. It was recommended that, Governments of the region should provide their border control officials with clear instructions to deal with persons travelling with diplomatic passports or other official travel documentation affording the privileges and immunities accorded to legally accredited officials.

27. Algeria has provided its border control officials with instructions on dealing with persons travelling with diplomatic passports and travel documents affording them diplomatic privileges and immunities. Such officials enjoy the diplomatic immunity extended to legally accredited officials in accordance with the two Vienna Conventions on Diplomatic and Consular Relations. In the event of an arrest, border control officials are required to inform the diplomatic or consular mission of the person involved. The mission may request in writing either the release of their national, with an undertaking to hand him over for trial in his own

country, or declare the withdrawal of his immunity, as a result of which he will be required to answer before the law of the country where the offence was committed.

28. In Burkina Faso, border control officials have been informed of the requirements under this recommendation.

29. The Government of Côte d'Ivoire reported that Officials receive special training upon joining the service. Border police have been informed of the relevant legislations required to ensure that diplomatic immunity is respected.

30. Djibouti indicated that the country has signed and observes the Vienna Conventions on Diplomatic and Consular Relations.

31. Egypt indicated that the Government has been implementing this recommendation in a routine manner.

32. Ghana reported that the country respects diplomatic norms. No complaints have been fielded against non-respect for diplomatic status.

33. Nigeria Immigration Services is the focal organization in charge of passport control. However, there are mechanism in place for obtaining/sharing of intelligence among security organizations at the various entry points. These serve as checks at the borders.

34. Togo reported that precise instructions have been given to border control officials by the Directorate General of National Documentation on how to deal with persons travelling with diplomatic passports or documentation affording privileges and immunities. Diplomats and other persons enjoying immunity receive special attention, but they are subject to the same formalities as other passengers, where circumstances so require.

35. In Uganda, the immigration officers have been empowered with skills and knowledge to handle this with other law enforcement officers e.g. anti-narcotic officers.

36. Zambia reported that, the privileges and immunities of persons travelling with diplomatic passports or other official travel documentation have been provided for under the Diplomatic Immunities and Privileges Act, Chapter 20 of the Laws of the country.

Issue 2: Developing effective responses to the investigation of drug trafficking and related crime offences

Recommendation 4

37. The Twentieth Meeting of HONLEA, Africa, recommended that Governments must be encouraged to invest in the training, professional development and operational capacity of their drug law enforcement agencies if they expect their policies to be successful in dismantling groups involved in drug trafficking and in effectively disrupting the damaging flow of illicit drugs into their communities.

38. In Algeria, a number of specialized law enforcement units have been set up, including units within the Central Criminal Investigation Service and the drug analysis department of the National Institute of Forensic Science and Criminology

attached to the national gendarmerie. There is also a central forensic laboratory and regional antennas operated by the national police.

39. Burkina Faso has submitted to UNODC its National Integrated Programme against trafficking, terrorism and organized crime. The validation workshop of the Programme was held on 23 and 24 April 2012.

40. In Côte d'Ivoire, a training and capacity-building programme is offered to law enforcement officials and judges. An annual course is also provided for gendarmerie officers on the identification of drugs and narcotic products and on detection techniques.

41. Djibouti reported that general training for law enforcement officers (gendarmerie, police, customs) were conducted, and the establishment of a police dog unit took place.

42. In Egypt, this is done through the Training Institute of the Administration, which holds specialized and advanced training courses on drug control for officers engaged in this field, with full support from the Government and in cooperation with the UNODC Middle East and North Africa Regional Offices.

43. With the support of Westbridge, the BKA of Germany, the Drug Enforcement Administration (DEA) of the U.S. Department of Justice, the Narcotics and Law Enforcement Affairs Bureau (INL) of the State Department of the USA and the French Government, the Government of Ghana, through the Narcotics Control Board offers several training opportunities to its staff as well as personnel from other law enforcement agencies such as the Ghana Police Service, Customs Division of the Ghana Revenue Authority, the Economic and Organized Crime Office, and the Ghana Immigration Service the Bureau of National Investigation and the Judiciary.

44. The Government of Nigeria has committed considerable resources to capacity-building of its drug control Agency within the available national resources. Also the National Drug Law Enforcement Agency (NDLEA) is actively developing partnerships with various international collaborators in the area of capacity-building.

45. In Togo, any official working in a drug law enforcement agency receives full training in all aspects of drugs, including investigation techniques, drug trafficking routes, precursors etc. Some officials attend the regional law enforcement training centre in Grand Bassam, Côte d'Ivoire.

46. Uganda indicated that continuous training of law enforcement officers is an ongoing event organized by the Government.

47. In Zambia, the Government, through the Drug Enforcement Commission (DEC) Command, has developed a deliberate policy of prioritizing training and capacity-building of Law Enforcement officers to enhance performance. However, more resources for capacity-building need to be mobilized. Cooperating partners such as the Drug Enforcement Administration (DEA) have continued to supplement Government efforts by providing sponsorship and support to DEC officers in law enforcement courses.

Recommendation 5

48. It was also recommended that, to attain consistency in the interpretation of national drug legislation and assist prosecutors and judges to become familiar with the application of such legislation, Governments should consider establishing special drug courts.

49. Algeria reported that special centres have been set up in accordance with the Act of 10 November 2004 amending and supplementing the Code of Criminal Procedure. Judges assigned to the relevant areas receive regular specialized training both in Algeria and abroad.

50. In Burkina Faso, a number of judges have been trained in this field but have been assigned to other duties.

51. In Côte d'Ivoire, there are currently no special drug courts. However, a special unit has been set up within the Department of Public Prosecutions to deal exclusively with drug cases.

52. Djibouti indicated that drug cases were not very frequent in the country. They were thus covered by the ordinary courts.

53. The Government of Egypt reported that the country has a comprehensive judicial system that includes all disciplines. It considers criminal offences, including crimes of illicit drug traffic. However, the creation of special courts for drugs is under consideration.

54. In Ghana, no special drug courts have been established, but there are selected judges who sit on drug cases in addition to their other cases. NACOB is encouraging the Judicial service for the creation of special drug courts.

55. In Nigeria, the Federal High Courts in the country are specifically charged with the Jurisprudence of handling all drug related cases.

56. Togo reported that so far no action has been taken to implement this recommendation.

57. In Uganda, special drug courts will be formalized as soon as the comprehensive legislation of narcotic drug and psychotropic substances control bill is passed to law by this year 2012.

58. Zambia indicated that although prosecutors and judges have been assisted with the interpretation of drug legislation through seminars and workshops, Zambia has not yet established Special Drug Courts to deal with drug trafficking and its related offences. Jurisdiction of the courts in Zambia is generally limited by the punishment the court may impose on the given drug trafficking offence.

Recommendation 6

59. It was recommended that to dismantle criminal organizations and further deprive those involved in such organizations of illegally acquired wealth, Governments should examine their national money-laundering and asset forfeiture legislation and consider investing the confiscated proceeds of illegally acquired assets into further building the capacity of their drug law enforcement agencies.

60. In Burkina Faso, these measures are provided for in the country's money-laundering legislation.
61. In Côte d'Ivoire, there is a law against money-laundering, but it does not envisage the investment of confiscated assets in improving the drug law enforcement agencies.
62. In Djibouti, the 2002 Money-laundering Act was strengthened and supplemented in 2011 to allow for the confiscation of criminals' assets.
63. Egypt reported that in this regard the country has Law Number 80 of 2002 on fighting money-laundering operations for assets derived from illicit drug traffic. In addition, the country has Law Number 95 of 2000 which provides for the dedication of a percentage of assets confiscated in drug cases to drug control agencies in order to enhance their capacity-building and support them with the necessary supplies and equipment to confront criminal organizations active in this field.
64. In Ghana, this is an ongoing exercise. The proposed revised Narcotics Commission Law takes a serious look at this proposal.
65. Nigeria reported that the National Money-Laundering and Asset forfeiture legislations were strengthened in year 2011. However, investing confiscated proceeds of illegality is under consideration at the legislative level.
66. Togo reported that workshops have been organized by the National Financial Intelligence Processing Unit (CENTIF-TG) and legislation has been drawn up to deal with the seizure of criminal assets with a view to helping the law enforcement agencies combat drug trafficking, money-laundering and the financing of terrorism more effectively.
67. Uganda reported that an anti-money-laundering bill is already before parliament for enactment into law and implementation.
68. After the establishment of the Anti-Money Laundering Unit in 2001 and the enactment of the Prohibition and Prevention of Money Laundering Act No.14 of 2001, the Zambian Government has enhanced the fight against money-laundering by setting up a Financial Intelligence Unit (FIU). In addition, the Government has enacted the Forfeiture of Proceeds of Crimes Act No. 19 of 2010 and the Public Interest Disclosure Act No. 4 of 2010 which set the stage for the forfeiture and confiscation of proceeds of crime. Training programmes in financial crimes, fraud and cybercrimes have also been enhanced with support from partners such as DEA.

Issue 3: Drug trafficking and its corrupting influence on law enforcement

Recommendation 7

69. The Twentieth Meeting of HONLEA, Africa, recommended that Governments must ensure that their law enforcement officers are adequately paid, professionally trained and properly equipped to perform the duties required of them, and that their law enforcement agencies are sufficiently funded to implement national policies.
70. Algeria reported that law enforcement officers receive a sufficiently advantageous compensation package to ensure that they are sheltered from any

corrupting influence. They also receive excellent professional training and the appropriate equipment.

71. Burkina Faso reported that, this measure has not been implemented, owing to budgetary constraints.

72. Côte d'Ivoire indicated that no incentive payments are made to any unit. Officers are well trained but currently lack the equipment required, such as detection equipment and transport, to carry out their tasks effectively.

73. In Djibouti, there is a general policy of improving and rectifying the situation regarding the salaries and benefits of law enforcement officers in accordance with the national average wage.

74. In Egypt, The Government is keen to provide adequate salaries for all law enforcement staff and provide them with professional training and suitable equipment to perform their duties in this area.

75. Ghana reported that NACOB officials have been given one of the best working conditions in Ghana. They are now at par with staff of all Security and Intelligence Agencies in Ghana.

76. The Government of Nigeria within its limited resources has improved the enabling environment of its law enforcement operatives generally. However, there is room for improvement.

77. Togo reported that law enforcement officers receive a monthly salary corresponding to their grade and rank. They receive rigorous professional training. Every year, the State allocates a budget for equipment, but the budget is quite inadequate to meet requirements.

78. In Uganda, efforts are being put in training, equipping and funding law enforcement officers.

79. The Government of Zambia has set up a Committee to review the salaries and conditions of service for Law Enforcement Officers. It is hoped that after the recommendations from the Committee have been implemented, Law enforcement officers will be adequately paid and properly equipped to perform their duties. Based on its manifesto, the Government has committed itself to increasing the budgetary allocation and to ensure that the Institutions become autonomous by establishing an independent supervisory body.

Recommendation 8

80. It was recommended that Governments should take steps to review the support and funding they provide for the training and professional development of their drug law enforcement officers and to invest more in developing good management and decision-making skills, thereby strengthening integrity and resistance to corruption and improper influence.

81. Algeria attaches particular importance to strengthening the capacities of drug law enforcement officers. This is achieved through the provision of solid professional training, both at the initial and the advanced level.

82. Burkina Faso reported that the Government has established the Superior Authority of State Control (ASCE) with a view to eliminating the problem of corruption.

83. In Côte d'Ivoire, there is no special budget. The drug law enforcement agencies have only their ordinary operating budget.

84. In Djibouti, the Criminal Code contains provisions against bribery (bribe-taking and bribe-giving) and influence peddling. There is no training or technical assistance in the country.

85. In Egypt, special attention is paid to training and qualification activities for human resources in the field of drug control. The Government also provides financial and technical support for these activities so as to ensure good administration and the performance of their functions in the best possible manner.

86. The Government of Ghana reported that within the limited resources, it has done well in funding the capacity-building and professional development of drug law enforcement officers. Budgetary allocation for NACOB has been on the increase since 2009.

87. In Nigeria, the National Drug Law Enforcement Agency (NDLEA) is continuously exposing its senior officers to training in the area of managerial competencies. This is attested to by the various courses in institutions such as the National Institute of Policy and Strategic Studies (NIPPS), Security Institute, etc. which are attended by senior operatives of the Agency on a yearly basis.

88. In Togo, law enforcement officers attend periodic courses of professional development which enable them to acquire knowledge and improve their effectiveness on the ground. Those who engage in corrupt practices are punished.

89. The Government of Uganda reported that there is training and professional developments of law enforcement officers for zero tolerance to corruption.

90. The Government of Zambia is reviewing the funding and support to the Drug Enforcement Commission. The Government has so far increased funding towards accommodation of law enforcement officers. After the review, it is expected that funding and support towards training and professional development will also increase.

Recommendation 9

91. It was recommended that Governments are encouraged to ensure that their courts and the officials entrusted with serving the public through the courts are subject to the same critical review of professional practice, performance and codes of conduct to which the operational arms of law enforcement, which also contribute to the proper implementation of the rule of law, are subject.

92. Algeria has institutional tools and mechanisms for this purpose, including the establishment of a disciplinary regime which also apply to court officials.

93. Burkina Faso indicated that the country has adopted a code of ethics, which has been issued to all judges. Hierarchical control is thus exercised.

94. The Government of Côte d'Ivoire reported that there was a hierarchy of courts in the country, which amounts to a system of control.

95. In Djibouti, a specific code has been introduced for members of the judiciary setting out their duties, the regime governing their actions and functions, in addition to jurisdictional competence.
96. The Government of Egypt reported that this is done through oversight and administrative bodies, concerning all law enforcement personnel, in addition to selecting the best elements for employment in this field.
97. In Ghana, the Judicial Service is encouraged to do constant peer-review in addition to public debate and critique of the Judiciary. NACOB periodically organizes training programs for judges who preside over narcotic related crimes.
98. Nigeria informed that the country has a specialized outfit; the Code of Conduct Bureau, in addition to other anti-corruption agencies to check and review activities of officials at all levels.
99. Togo reported that so far no action has been taken to implement this recommendation.
100. In Uganda, joint training between the law enforcement officers, judicial officers, prosecutors and other stakeholders is an ongoing practice.
101. Zambia reported that the Judiciary being an independent arm of the Government, has its own Code of Conduct which is monitored and implemented through the Judicial Complaint Authority.
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