

25 October 2011

Arabic, English and Russian only*

**Subcommission on Illicit Drug Traffic and
Related Matters in the Near and Middle East****Forty-sixth session**

Vienna, 19-22 December 2011

Item 4 of the provisional agenda**

**Implementation of the recommendations adopted by the
Subcommission at its forty-fourth session****Implementation of the recommendations adopted by the
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1. The Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East, at its forty-fourth session, held in Vienna, from 16 to 19 November 2009, adopted a set of recommendations following the consideration by working groups of the issues listed below.
2. In accordance with established practice, the report of the forty-fourth session was forwarded to the Governments represented at the session. A questionnaire on the implementation of the recommendations adopted at the forty-fourth session was dispatched with the Note Verbale CU 2011/113 on 5 July 2011 for responses by 31 August 2011.
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 response to the questionnaire. As of 25 October 2011, 7 replies had been received from the Governments of Egypt, Iraq, Jordan, Kazakhstan, Oman, Qatar and the Syrian Arab Republic.

**Issue 1: Combating the ongoing challenge of illicit opiate trafficking in the
region***Recommendation (a)*

Governments should be encouraged to establish close inter-agency cooperation at their land, sea and air borders, and to consider the establishment of specialist units

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

** UNODC/SUBCOM/46/1.



dedicated to the review of information enabling the selection and search of identified persons, transports and goods of interest, so as to ensure well-managed controls and make full use of the professional skills, agency resources and legislative powers made available through the public investment in such controls.

4. The Government of Egypt reported that close cooperation existed among all relevant national agencies. They had departments for liaison and internal coordination among them and they also maintained close cooperation with drug control agencies in neighbouring countries.

5. The Government of Iraq reported that checkpoints at borders were equipped by the Ministry of Finance/General Board at Customs with narcotics detection equipment. In addition, it reported collaboration between the Ministries of Health, Finance and Interior in controlling drugs and narcotics at borders and airports.

6. The Government of Jordan informed that this recommendation had been implemented through the coordination between the General Customs Service and security agencies on classification of goods and companies by level of risk.

7. The Governments of Kazakhstan and Qatar indicated that they had taken the necessary action to implement this recommendation.

8. The Government of Oman reported that there were units at the borders dedicated to the review of information.

9. The Government of Qatar informed that this was taken into account and implemented.

10. The Syrian Arab Republic reported that there was close cooperation among all agencies concerned with drug control or with some aspects of drug abuse, under the umbrella of the National Commission on Narcotic Drugs.

Recommendation (b)

To strengthen their response to the illegal diversion of precursor chemicals from licit trade, law enforcement authorities should be supported by their Governments to develop cooperation partnerships with the private sector chemical industry, and to engage its support in national counter-narcotics initiatives.

11. The Government of Egypt informed that they maintained close cooperation with private sector firms engaged in the movement of precursors and chemicals.

12. The Government of Iraq indicated that strict rules were implemented upon issuing import certificates of precursor chemicals, with strict control of previous shipments and their consumption and final users. There were new rules by the Ministry of Trade in giving import licences of such chemicals after obtaining the approval of the Ministry of Health.

13. The Government of Jordan reported that the supervision of, and coordination with, private companies involved in precursor chemicals import and manufacture had been carried out through the Jordan Food and Drug Administration.

14. The Government of Kazakhstan indicated that they had taken the necessary action to implement this recommendation.

15. The Government of Oman reported that there was close cooperation with the private sector to control transactions in precursor chemicals.

16. The Government of Qatar informed that the Pharmacy and Drug Control Department (Ministry of Health) made arrangements with the private sector concerning precursor chemicals.

17. The Syrian Arab Republic stressed that this mechanism already existed. The Ministry of Health had imposed restrictions on the use of substances that were identified as being misused in the pharmaceutical industry, such as Benzhexol, Dextropropoxyphen and Codeine.

Recommendation (c)

It should be a priority of the Governments of the region to encourage their law enforcement agencies to share information, cooperate in cross-border training and capacity-building, and engage with one another in undertaking controlled delivery operations to dismantle sophisticated trafficking syndicates.

18. The Government of Egypt reported that they maintained cooperation in the area of training. Their Administration had a training centre under the auspices of UNODC and trained Arab, African and Commonwealth officers and maintained cooperation with other countries in the investigation of cases by using the controlled delivery method.

19. The Government of Iraq reported that collaboration existed between the Ministry of Interior and similar Ministries in neighbouring countries through recommendations issued by the Arabic Bureau of Narcotics Affairs.

20. The Government of Jordan informed that there had been numerous controlled delivery operations carried out with neighbouring countries, including 17 such operations in 2010 alone.

21. The Kazakhstan Government stressed that they had taken the necessary action to implement this recommendation.

22. The Government of Qatar informed that the Drug Enforcement Administration (DEA) cooperated with concerned agencies inside the country as well as with neighbouring countries.

23. The Syrian Arab Republic indicated that there was close cooperation with neighbouring countries in the area of information exchange and the implementation of controlled delivery and joint operations against drug smuggling and trafficking groups.

Issue 2: Use of the Internet in trafficking in narcotic drugs, psychotropic substances and precursor chemicals

Recommendation (a)

Governments should ensure that their law enforcement agencies are aware of the importance of electronic evidence gathered from such equipment as mobile telephones, personal computers, memory sticks and other such electronic data storage devices when investigating persons involved in illicit drug trafficking and organized crime.

24. The Government of Egypt reported that they had modern techniques in this regard, as the Ministry of Interior had a communication and information technology sector that undertook data analysis and the drawing of conclusions using mobile phones and computers and investigated crimes committed by using these techniques, in a framework of legitimacy, rule of law and respect for human rights.
25. The Government of Iraq indicated that their law enforcement agencies were aware of the importance of this sector and that it covered by the Act of Policemen duties in combating crime.
26. The Government of Jordan indicated that this had been implemented though training of personnel of the Anti Narcotics Department on how to analyse and recover information from digital evidence.
27. The Government of Kazakhstan reported that there was a need to develop a mechanism and procedure for gathering information from electronic equipment and to establish a procedure for making such information legally admissible in the courts as digital evidence.
28. The Government of Qatar informed that this recommendation was taken into account and implemented.
29. The Government of the Syrian Arab Republic reported that on any indication that electronic equipment were used to commit illicit drug trafficking offences, the appropriate authorities were contacted to investigate such evidence for the benefit of ongoing investigations and to serve justice.

Recommendation (b)

To meet the challenge of new cybercrime offences committed in conjunction with new communications technologies, Governments should take steps to ensure that their national legislation is adequate to secure the gathering of electronic evidence for successful prosecutions.

30. The Government of Egypt reported that this was done in cooperation with agencies concerned.
31. The Government of Iraq reported the inclusion of an article concerning the subject within the draft of the new Act of Narcotics and Psychotropic substances.
32. The Government of Jordan stressed that a specialized unit had been created within the Crime Investigation Department and the Forensic Science Laboratory Department in order to analyse electronic data; additionally, many employees of the Anti Narcotics Department had received training in this area.
33. The Government of Kazakhstan indicated that the legislation in force provided for investigation measures such as the searching of communications equipment, and it was important to introduce national legislation relating to the application by law enforcement agencies of relevant investigative measures, such as undercover operations.
34. The Government of Oman reported that a Cybercrime Law was issued by Royal Decree No. 12/2011, on 6/2/2011.
35. The Government of Qatar informed that this was taken into account and implemented.

36. The Syrian Arab Republic also reported that the Syrian law number 4, Electronic Signature and Net Services, included several articles that indicated how to handle electronic evidence and how such evidence could be accepted as legitimate in courts.

Recommendation (c)

Governments should encourage their law enforcement authorities to develop a digital evidence strategy, as a first step towards ensuring effective handling and recovery of digital evidence gathered during the investigation of persons involved in illicit drug trafficking.

37. The Government of Egypt reported that this strategy was developed in cooperation with agencies concerned.

38. The Government of Iraq indicated that such an strategy was still under study, examination and finalization.

39. The Government of Jordan reported that this had been implemented by enabling personnel to participate in training programmes and courses with a view to familiarize themselves with handling of digital evidence.

40. The Government of Kazakhstan stressed that there was a need to adopt a legal framework for data security and for the use of electronic data storage devices as digital evidence.

41. The Government of Oman reported that such a strategy was being developed.

42. The Government of Qatar informed that this was taken into account and implemented.

43. The Syrian Arab Republic informed that like other departments of the Ministry of Interior, the Anti Narcotics Department had a project for the full automation of all data and information on precedents and requisitions, so as to facilitate reference as necessary.

Issue 3: Amphetamine-type stimulants

Recommendation (a)

Because the development of effective ATS countermeasure strategies relies heavily upon access to accurate data relating to their spread (such as information on quantities seized, patterns of abuse and numbers of people seeking treatment), it is essential that Governments return their Annual Report Questionnaires to the United Nations Office on Drugs and Crime (UNODC) and ensure that the information contained in them is accurate and comprehensive.

44. The Government of Egypt reported that Questionnaires received concerning ATS were completed with full accuracy.

45. The Government of Iraq confirmed that the Annual Report Questionnaire (form D) was submitted annually to the International Narcotics Control Board.

46. The Government of Jordan indicated that forms and questionnaires from the United Nations Office on Drugs and Crime had been completed periodically and all up-to-date information had been provided.

47. The Government of Kazakhstan informed that the Annual Reports Questionnaires of the United Nations Office on Drugs and Crime were completed each year by the relevant State authorities and submitted via diplomatic channels.

48. The Government of Oman reported that the Executive Office had taken the necessary steps to ensure the provision of accurate and comprehensive information through completion of the annual questionnaires received from UNODC regarding patterns of abuse and numbers of people seeking treatment.

49. The Government of Qatar informed that this was taken into account and implemented.

50. The Government of the Syrian Arab Republic confirmed that all questionnaires received from UNODC, INCB or regional or subregional commissions had been responded to.

Recommendation (b)

Where they have not already done so, Governments should be encouraged to survey their domestic precursor chemical requirements with a view to the implementation of a system of estimates in line with the International Narcotics Control Board guidelines for annual national requirements of precursor chemicals.

51. The Government of Egypt reported that this was done through completing the annual requirements questionnaires by the Central Administration for Pharmaceutical Affairs in coordination with the Industrial Development Authority.

52. The Government of Iraq indicated that annual information of imports of chemical precursors and their need was submitted to the International Narcotics Control Board on form D.

53. The Government of Jordan stressed that the Jordan Food and Drug Administration identified companies' requirements for precursor chemicals and included the relevant data in form D.

54. The Government of Kazakhstan informed that the Annual Reports Questionnaires of the United Nations Office on Drugs and Crime were completed each year by the relevant State authorities and submitted via diplomatic channels.

55. The Government of Oman reported that where chemical precursors were to be imported by a company, the import authorization was only approved after presentation of a copy of the utilization request (purchase order) from the utilizing company. The order would must specify the name and quantity of the substance to be consumed.

56. The Government of Qatar informed that this recommendation was implemented by the Pharmacy and Drug Control Department (Ministry of Health).

57. The Syrian Arab Republic also informed that the Ministry of Health, provided the INCB annually with the country's annual requirements of precursor chemicals. The Syrian Arab Republic had also adopted the PEN Online system for online reporting of its requirements of such substances.

Recommendation (c)

Governments should encourage the analysis of seized ATS and support the exchange of the results between national laboratories and drug law enforcement authorities, so as to identify the active ingredients and common sources of manufacture, thus supporting the dismantling of trafficking networks through the discovery of trafficking routes and distribution patterns.

58. The Government of Egypt reported that this was done through interaction and cooperation with the chemical laboratories of the Department of Forensic Medicine.

59. The Government of Iraq indicated that seized ATS were analysed, but there wasn't an Act incriminating the illicit trade of these substances. They informed that ATS would be included in the schedules attached to the draft of the new Act of Narcotics and Psychotropic Substances.

60. The Jordanian Government informed that action had been taken to track the movement and sources of manufacture of Captagon tablets, in cooperation with INTERPOL and the German Federal Police.

61. The Government of Kazakhstan informed that the Annual Report Questionnaires of the United Nations Office on Drugs and Crime were completed each year by the relevant State authorities and submitted via diplomatic channels.

62. The Government of Oman reported that no action had been taken in this regard.

63. The Government of Qatar informed that DEA, through the Forensic Laboratory Department of the Ministry of Interior, undertook the analysis of seized ATS.

64. The Government of the Syrian Arab Republic expressed that the Anti Narcotics Department had been applying this mechanism for a long time, as these were the most trafficked substances during transit through the country. Whenever relevant information was obtained, the Anti Narcotics Department informed the appropriate authorities in manufacturing countries about places of manufacture.