



Economic and Social Council

Distr.: Limited
18 March 2009

Original: English

Commission on Narcotic Drugs

Fifty-second session

Vienna, 11-20 March 2009

Agenda item 7

Implementation of the international drug control treaties

Argentina and France: revised draft resolution

Use of pharmaceutical technology to counter drug-facilitated sexual assault (“date rape”)

The Commission on Narcotic Drugs,

Recalling the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime,¹ in which it is stated that scientific and forensic findings enrich policy and trend analysis by providing the basis for accurate information in specific areas,

Recalling also its resolution 48/1 on promoting the sharing of information on emerging trends in the abuse of and trafficking in substances not controlled under the international drug control conventions,

Concerned by the scale of the problem of the use, by predators, of licit and illicit substances, both under international control and not under international control, inter alia, alcohol (in fruit drinks, beer, wine and spirits), alprazolam, 1,4-butanediol, *gamma*-butyrolactone, cannabis, chloral hydrate, clonazepam, diazepam, flunitrazepam, *gamma*-hydroxybutyric acid (GHB), ketamine, meprobamate, midazolam, phencyclidine, scopolamine, secobarbital, temazepam, triazolam and zolpidem, in order to incapacitate their victims and facilitate the commission of sexual assault (“date rape”),

Aware that its mandate pertains to controlled substances,

Recalling that, in accordance with its decision 38/4, flunitrazepam was transferred from Schedule IV to Schedule III of the Convention on Psychotropic

¹ Economic and Social Council resolution 2007/12, annex.



Substances of 1971² and that, in accordance with its decision 44/3, GHB was included in Schedule IV of the 1971 Convention,

Recognizing that the International Narcotics Control Board, in its reports for 2004,³ 2005⁴ and 2006,⁵ noted the widespread abuse of substances, in particular ketamine, not subject to control under the international drug control treaties,

Welcoming the decision by the World Health Organization to conduct a critical review of ketamine,

Noting the work being carried out in other international forums to consider the implementation of legislation on offences involving the use of drugs as a means of committing other offences,

Noting also the measures taken by certain pharmaceutical companies to safeguard their products against criminal use and, through the use of innovative pharmaceutical technology, to discourage such use and alert potential victims to the contamination of their drinks by causing the drinks to turn blue,

1. *Urges* Member States, in accordance with the mandates of the Commission on Narcotic Drugs, to address the emerging problem of the use of substances to facilitate the commission of sexual assault (“date rape”), which affects many Member States, by adopting measures such as the enhancement of public awareness;

2. *Also urges* Member States, as appropriate and consistent with their national legal framework, to consider imposing stricter controls on those substances or taking other measures aimed at discouraging the use of such substances for the commission of drug-facilitated sexual assault, including with regard to those substances not under international control;

3. *Invites* industries concerned to cooperate in developing formulations with safety features, such as dyes and flavourings, to alert potential victims to the contamination of their drinks, without affecting the bioavailability of the active ingredients in legitimate drugs;

4. *Urges* Member States to share, through bilateral, regional and international channels, information on emerging trends in the use of drugs to commit such offences.

² United Nations, *Treaty Series*, vol. 1019, No. 14956.

³ *Report of the International Narcotics Control Board for 2004* (United Nations publication, Sales No. E.05.XI.3).

⁴ *Report of the International Narcotics Control Board for 2005* (United Nations publication, Sales No. E.06.XI.2).

⁵ *Report of the International Narcotics Control Board for 2006* (United Nations publication, Sales No. E.07.XI.11).