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**Thirty-ninth Meeting of Heads of  
National Drug Law Enforcement Agencies,  
Asia and the Pacific**

Bangkok, 19-22 October 2015

Item 4 of the provisional agenda\*\*\*

**Implementation of the recommendations adopted by the  
Thirty-seventh Meeting of Heads of National Drug Law  
Enforcement Agencies, Asia and the Pacific****Implementation of the recommendations adopted by the  
Thirty-seventh Meeting of Heads of National Drug Law  
Enforcement Agencies, Asia and the Pacific**

1. The Thirty-seventh Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, held in Bangkok, from 21 to 24 October 2013, adopted a set of recommendations, following the consideration by working groups of the issues defined below.
2. In accordance with established practice, the report on the Thirty-seventh Meeting was forwarded to the Governments represented at that session. A questionnaire on the implementation of the recommendations was dispatched on 1 July 2015.
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 22 September 2015, replies had been received from the Governments of Afghanistan, Armenia, Brunei Darussalam, China (including Hong Kong, China, and Macao, China), France, India, Indonesia, Japan, Pakistan, the Philippines, the Russian Federation and Turkey. Other Member States, which did not provide responses that were included in the present report, may wish to brief the Meeting on implementation under the corresponding agenda item.

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\*\* Available only in English, which is the working language of the subsidiary body.

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**Issue 1: Measures to counteract new trends in the use of technology by drug trafficking and organized criminal groups**

**Recommendation (a)**

**Governments of the region should review and amend accordingly their existing legislation to ensure that it supports the investigation, gathering of electronic evidence and prosecution of drug trafficking and related offences that are facilitated by information and communications technology**

4. Afghanistan noted that its Ministry of Counter-Narcotics had reviewed and amended the national legislation in order to address challenges in relation to investigations, the gathering of electronic evidence and the prosecution of drug trafficking offences.
5. Armenia planned to implement a number of strategic tasks in order to address the illegal trade of narcotic drugs, psychotropic substances and precursors, by inter alia: (a) ensuring effective border controls; (b) ensuring participation in the complex international operative and preventive operation “Channel”; (c) enhancing cooperation with authorities of and concluding bilateral agreements with countries whose territories were used as transit routes; (d) raising the effectiveness of operative search activities, improving the system of implementation of controlled drug supply and improving the system of their confiscation; (e) ensuring the comprehensiveness of investigation of drug-related criminal cases; (f) equipping border checkpoints and customs inspection zones with necessary devices and trained drug detection dogs; (g) improving the theoretical knowledge and practical skills of experts, modernizing approaches and ensuring the exchange of international expertise; (h) preventing the diversion of psychotropic substances and precursors; and (i) promoting preventive measures among drug addicts and drug dealers, establishing confidential hotlines and consolidating public relations.
6. Brunei Darussalam had enacted national legislation to include information and communication technology as a method to support evidence in trial/prosecution procedures. All evidence, either electronic, digital or conventional, was admissible and tested in court similarly to other evidence.
7. China informed that the office of the National Narcotics Control Commission had increased its efforts to revise legislation and improve anti-drug laws and regulations. The Commission organized legal experts and personnel from frontline departments to conduct studies on legal issues relating to drug control, in order to solve key problems in judicial practices and provide legal guidelines for frontline drug control agencies.
8. In Hong Kong, China, the Government had not encountered any issues in exercising the existing legislation to investigate, gathering electronic evidence and prosecuting drug trafficking and related offences, which were facilitated by information and communication technology.
9. In Macao, China, the Penal Procedure Code allowed for the gathering of data from communications technology and other electronic evidence, as well as its use in the investigation and prosecution of drug traffickers and other criminals involved in related offences.

10. France reported that its national legislation supported the investigation, gathering of electronic evidence and the prosecution of drug trafficking and related offences, which were facilitated by information and communication technology. Those legislative changes had enabled specialized police and customs services to dismantle a number of drug trafficking operations on the Internet and the Deep Web.

11. India noted that its existing legislation had bridged the gap between technology and law, with electronic evidence now admissible in all cases, including drug trafficking.

12. In Indonesia, individuals who were part of drug syndicates were arrested by the National Narcotics Board using intelligence technology. Japan and Pakistan indicated that no action had been undertaken by those countries to implement this recommendation.

13. The Drug Enforcement Agency of the Philippines was proposing to amend the national legislation in order to criminalize membership in a local or international drug syndicate.

14. The Russian Federation reported that, through its national legislation, a mechanism was introduced for the extrajudicial restriction of access in the territory of the country to information prohibited by law. A single register of domain names, Internet URLs and Internet Protocol addresses was created to enable the identification of websites containing information whose dissemination was prohibited. In addition, the Federal Service for Monitoring in the Area of Communications, Information Technology and the Mass Media, the Ministry of the Interior, the Federal Drug Control Service and the Federal Security Service have jointly prepared a draft federal act amending existing legislation to include additional grounds for the extrajudicial restriction of Internet access, on the territory of the Russian Federation, to information on means and methods of preparing, manufacturing and using new potentially dangerous psychoactive substances and their precursors and on places where such substances and their precursors can be obtained. In accordance with the Criminal Code, the sale of narcotic drugs, psychotropic substances or their analogues using mass media or electronic or information technology networks (including the Internet) constituted an element of an offence.

15. In Turkey, the Ministry of Customs and Trade established a programme, whereby API and PNR information on passengers arriving in and departing from that country could be acquired electronically from all domestic and foreign aviation companies, in compliance with the data transfer standards determined by WCO/IATA/ICAO. Of the 304 air transportation companies operating in Turkey, 216 had contacted the Ministry and 195 were integrated into the system. To date, Turkey had acquired API and PNR data sets in live environment from 141 air transportation companies.

#### **Recommendation (b)**

**Governments should take steps to ensure that their law enforcement agencies, prosecution services and judiciary are aware of the need and are adequately trained, supported and funded to undertake the investigation, gathering of evidence and prosecution of offences involving cyber-related drug trafficking and money-laundering offences**

16. Afghanistan reported that its cybercrime law had been drafted and was under process, and that a law against money-laundering had been adopted and signed. Furthermore, law enforcement agencies, prosecution services and the judiciary had been trained in various functions.

17. Armenia indicated that it had planned to develop, approve and implement measures aimed at the implementation of the national strategy to counter drug trafficking, fund-raising and fund administration. The police officers in Armenia received training regularly both at the national level and abroad and specialized units had been established to combat these types of crime.

18. Brunei Darussalam prioritized cooperation with national and regional law enforcement agencies in order to bridge the gaps in combating drug trafficking and money-laundering offences. Its representatives had participated in a number of courses and trainings focused on the exchange of best practices and expertise held in Singapore in 2013.

19. China reported that, in order to further strengthen coordination and cooperation of various departments, in January 2015, the National Narcotics Control Commission had set up drug-related anti-money-laundering working team consisting of the Supreme People's Court, the Supreme People's Procuratorate, Ministry of Public Security and the People's Bank of China, which was responsible for organizing, researching and coordinating policies and measures on combating drug-related money-laundering.

20. In Hong Kong, China, the Police Force and the Customs and Excise Department would send officers to attend overseas and local trainings on the investigation of cyber-related drug trafficking and money-laundering offences. The Police Force would also conduct in-house training to enhance officers' investigating skills of these offences. Specifically on money-laundering, the Police Force would conduct "International Financial Investigation Courses" annually and invite overseas and local counterparts to join the courses. Similar training sessions and talks were also conducted in the Department of Justice to update the knowledge of the counsels and prosecutors.

21. In Macao, China, the Government provided adequate training for the investigators responsible for the investigation of all types of cyber-related offences, including opportunities for training overseas. Legislation and the Penal Producer Code in Macao, China, supported the investigation, gathering of evidence and prosecution of offences involving cyber-related drug trafficking and money-laundering.

22. France reported that, in late 2013, an interministerial working group comprising the Ministry of Justice, the Ministry of the Interior, the Customs Authority, and the Ministry of the Digital Economy had been commissioned to analyse the issue of cybercrime. The working group issued its report in early 2014. In that country, the investigation services (the police, the gendarmerie, customs, etc.) and the judiciary undertook the investigation, gathering of evidence and prosecution of drug-trafficking and money-laundering offences involving new information and communications technologies. Specialized services had been created, such as the Anti-Cybercrime Subdirectorate within the Chief Directorate for Criminal Investigation, the Central Office for Combating Crimes Facilitated by Information and Communications Technology, the Institute for Criminal Research

and the Technical Department for Criminal Investigations and Documentation within the National Gendarmerie, as well as the Cybercustoms Department within the National Directorate for Customs Intelligence and Investigations. Those services worked closely with Europol's new European Cybercrime Centre, and France participated in work carried out as part of the European Union policy cycle to tackle organized crime.

23. India provided training to law enforcement officers and judiciary officials about recent developments in the existing laws relating to drugs.

24. Indonesia reported that its National Narcotics Board had trained all its members in the areas of technology intelligence and that it continued to evaluate the results of raids' planning execution, with the view to improving capacity.

25. Japan indicated that, in 2014, its Narcotics Control Department had set up the office of a Cybercrime Senior Officer, who handled cyber-related matters.

26. In Pakistan, the Government was taking measures to build the capacity of departments dealing with the investigation, gathering of evidence and prosecution of money-laundering offences. A Financial Monitoring Unit had been set up under the State Bank of Pakistan, which assisted the Anti-Narcotics Force (ANF) in investigations relating to money-laundering and illicit financial flows. Pakistan also followed standards set by the Financial Action Task Force under the Asia Pacific Group and training courses on assets and financial investigations had been organized at the ANF Academy. Pakistan also actively participated in the workshops on anti-money-laundering and financial investigations, organized by UNODC.

27. The personnel of the Drug Enforcement Agency of the Philippines had participated in trainings abroad, while the Agency also conducted its own in-service trainings. The Agency was a member of the Money Laundering and Terrorism Council NRA Working Group to combat money-laundering and terrorism financing. The Agency also recently activated the Cybercrime Narcotics Investigation and Digital Forensics Units at its national and regional offices.

28. In the Russian Federation, restrictions had been introduced with respect to the maximum sums that may be transferred via electronic payment systems without the requirement to provide identification.

### **Recommendation (c)**

**To meet the challenges of Internet-based pharmacies and similar websites offering illicit or controlled drugs and pharmaceutical preparations, Governments should take steps to ensure close cooperation between national law enforcement and regulatory authorities, such as drug law enforcement agencies, the postal services and other relevant actors, to enable them to develop their responses to these crimes**

29. In Afghanistan, the cybercrime law had been drafted and was under process. Armenia reported that it had joined project ION to combat illicit drug trafficking via postal deliveries and the PANGEA operation dealing with illicit drug trafficking via the Internet. Armenia planned to build the capacities of authorized bodies and organizations and strengthen the cooperation among them through the implementation of strategic tasks, such as: (a) improving the system (re)training and advance training of personnel and consolidating the material and technical

resources; (b) ensuring sufficient scientific and informational resources of subdivisions dealing with drug-related issues; and (c) establishing an operative informational analytical system for crimes and offences relating to drug trafficking.

30. Under legislation in Brunei Darussalam, the illicit import and export of controlled drugs were criminalized and harsh penalties, including the mandatory death sentence, were imposed. Brunei Darussalam had established a task force, consisting of the Customs and Excise, and Postal Departments, which monitored incoming parcels and packages via the postal and courier services, in close cooperation with the Narcotics Control Bureau.

31. In China, the Ministry of Public Security and the Food and Drug Administration issued a notice for rigorously handling the cases of illegally selling compound oral solutions containing codeine by pharmaceutical wholesalers and actively promoted the inclusion of such medicines in the control list of psychotropic substances. In addition, they joined with the State Post Bureau to investigate and research drug trafficking activities via logistics and delivery channels, and the pilot programme of “real-name” system. The national authorities intended to implement the “real-name” system for mail and package delivery on a limited basis by the end of 2014.

32. In Hong Kong, China, the Cyber Patrol Team operating under the Narcotics Bureau of the Police Force had been tasked to conduct daily cyber patrols to gather intelligence on all types of drug activities, including Internet-based pharmacies. The Customs had provided briefings and signed memoranda of understanding with express parcel service providers, with a view to enhancing its capabilities to interdict transnational drug trafficking activities. In addition, the Department of Health (DH) had a surveilled illegal activities relating to the manufacture, sale and distribution of medicines (including sale on local websites). If necessary, the pharmacists of the DH would call upon the Police and Customs to carry out joint operations against illegal activities relating to the controlled medicines.

33. No action had been undertaken to implement this recommendation by Macao, China. In France, the distribution of medicines was restricted and under pharmaceutical control, while its marketing was strictly regulated and monitored by health care authorities, with each stage in the chain (manufacturers, operators, wholesale distributors, dispensing pharmacies, etc.) being placed under the responsibility of a pharmacist. Only pharmacists were authorized by the Regional Healthcare Authority to create and operate websites, which had to be backed by a physical pharmacy, for selling only non-prescription medicines. The National Agency for Medicines and Health Products Safety coordinated inspections of establishments in the distribution chain (manufacturing, importation, distribution, drug safety monitoring, clinical trials, etc.), in cooperation with other relevant agencies and bodies. The Government Plan to Combat Drugs and Addictive Behaviours (2013-2017) provided for specific action on the issue of controlling the sale of medicines online, involving control authorities (e.g. police, customs) as well as private actors. The Customs Authority, through its Cybercustoms Unit, assisted in monitoring websites that sold medicines and narcotics, including online orders as they went through the supply chain, pursuant to its mandate to monitor postal packages and freight, in partnership with express freight and postal operators.

34. In India, the Narcotics Control Bureau, under the Ministry of Home Affairs, cooperated with postal agencies; trained and liaised with both postal and courier agencies; monitored online pharmacies and coordinated with various drug law enforcement agencies, such as the Directorate of Revenue Intelligence, the Airport Authority, the Customs and others.
35. Indonesia reported that its National Narcotics Board had established cooperation between immigration, customs and the post office in order to arrest members of drug syndicates and confiscate proceeds of money-laundering.
36. In Japan, in accordance with national legislation, the Ministry of Health, Labour and Welfare Ministry and Prefectural Governments could request from Internet service providers the deletion of websites of Internet-based NPS shops and similar websites offering illicit or controlled drugs, without the providers having to compensate for any damages caused.
37. Pakistan informed that the Government had established an Inter-Agency Task Force Secretariat, under the ANF, to coordinate over 30 federal and provincial law enforcement agencies and departments; had taken measures to identify walk-in customers of courier companies through the biometric system NADRA; and had undertaken the necessary coordination and liaison with the Federal Investigation Agency in order to curb the sale/purchase of illicit drugs via the Internet.
38. In the Philippines, the Dangerous Drugs Board was the policymaking and coordinating agency, as well as the national clearing house on all matters pertaining to law enforcement and control of dangerous drugs and controlled chemicals. The Board also formulated policies to deal with pharmaceutical preparations bought, sold and delivered in an electronic environment.
39. The Russian Federation reported that additional measures to combat the distribution of drugs via the Internet were under preparation. An Internet Technology Centre, a non-profit organization, and the Federal Drug Control Service, within the framework of operation of a hotline for reporting illegal website content, had concluded a cooperation agreement setting out the procedure and mechanisms for, and the nature of, cooperation and coordination of activities aimed at identifying information on the Internet that relates to the promotion and distribution of narcotic drugs, psychotropic substances and precursors and at preventing the circulation of such information, in accordance with the legislation of the Russian Federation. The delivery of narcotic and psychotropic medicinal preparations by post, including internationally, was prohibited by national law, which, however, did not contain provisions on the operation of Internet pharmacies engaged in the online dispensing and retail trade of narcotic and psychotropic medicines. The provisions established that the dispensation of narcotic and psychotropic medicinal preparations and the retail trade therein may be carried out by pharmaceutical establishments, an exhaustive list of which, including pharmacies, "pharmacy points" and kiosk pharmacies had been approved. That list did not provide for Internet pharmacies as a type of pharmaceutical establishment. Furthermore, only pharmacies and pharmacy points were authorized to dispense narcotic and psychotropic medicinal preparations to physical persons on the basis of a prescription.

**Issue 2: The role of law enforcement authorities in developing and implementing strategies for preventing drug trafficking and abuse**

**Recommendation (a)**

**Governments are encouraged to provide specific training to their drug law enforcement officials on HIV/AIDS, illicit drug use and effective approaches to interacting with people who inject drugs and who may be at higher risk of exposure to HIV/AIDS**

40. Afghanistan indicated that, in the framework of the National AIDS Control Programme, the Ministry of Public Health had conducted HIV awareness and stigma reduction training to 50 law enforcement officials in Kabul and for 2,060 officials in eight provinces (Kabul, Herat, Balkh, Nangarhar, Kandahar, Ghazni, Kunduz and Badakhshan).

41. In Armenia, operational-educational classes were held every week, while training sessions on these topics were organized with the support of the Government and international organizations. According to national legislation, penitentiary officers in leading, middle and junior rank positions were subject to mandatory training at least once every three years and to specialized training once a year. In 2014, 1,995 penitentiary officers attended training sessions, while 720 officers received specialized training, including courses of treatment with drug-dependent inmates. Furthermore, people living with HIV/AIDS received all the necessary assistance, including antiretroviral therapy and methadone substitution treatment.

42. Brunei Darussalam continued to participate in training courses in the area of drug trafficking and abuse prevention, including in the First Global Forum for Youth Leaders on Drug Abuse Prevention (10-14 February 2014 in Abu Dhabi), the ASEAN Conference 2014 on Addiction Treatment Future Challenges and Opportunities (11-13 June 2014 in Bangkok) and the ASCAD International Conference and Workshop on Drug Demand Reduction (22-26 September 2014 in Melaka, Malaysia).

43. China indicated that it had taken action to implement this recommendation. In Hong Kong, China, the Police and Customs had established procedures and guidelines regarding the identification of drug addicts and the interaction with high risk persons. In Macao, China, workshops and training programmes on HIV/AIDS, Methadone Maintenance Treatment (MMT) and the Clean Needle Programme had been provided to 7,186 law enforcement officials from the Public Security Police Force, Judiciary Police, Prison and Public Prosecutions Office.

44. In France, the police and customs services received both initial and in-service training on interacting with injecting drug users and the risks to which they were exposed. Similarly, within the prison service, specialized training programmes were organized by the National Prison Administration School, tailored to the different actors within the service: prison integration and probation advisers, directors of prison services, prison integration and probation directors, and wardens.

45. The National Institute of Social Defence of India focused on training, research and documentation in the field of alcoholism and drug demand reduction. Furthermore, 12 non-governmental organizations with relevant experience and expertise had been designated as Regional Resource and Training Centres (RRTC's) for different regions of the country and served as field training units of the National



Centre for Drug Abuse Prevention. The RRTCs documented the activities of NGOs in their regions, undertook advocacy, research and monitoring of the drug abuse programmes and provided technical support to NGOs, community-based organizations and enterprises.

46. In Indonesia, in coordination with the National Narcotics Board, the Ministry of Health had trained judges, prosecutors and police forensic teams in the basic knowledge of drug addiction and assessment of drug addicts. Further training was required for law enforcement personnel on HIV/AIDS-related blood-borne diseases among injecting drug users.

47. Japan indicated that no action had been undertaken in that country to implement this recommendation. Pakistan indicated that the staff of its Anti-Narcotics Force had actively participated in courses on drug use leading to HIV/AIDS, STIs and other related problems, organized by UNODC. Large-scale awareness campaigns had also been organized in order to educate the public regarding the risks of injecting drug use.

48. In the Philippines, the Drug Enforcement Agency had trained lecturers and resource personnel to conduct training/workshops for Agency officials and staff. Those trained lecturers/resource speakers, together with the National AIDS Council, had conducted eleven seminars and workshops on drugs and HIV/AIDS prevention for Agency personnel. The National Law Enforcement Coordinating Committee Subcommittee on Dangerous Drugs and Controlled Chemicals also conducted an orientation on HIV/AIDS in relation to injecting drug users in April 2014. Furthermore, the Department of Health led a 24-month study on “Community-based comprehensive services for people who inject drugs in Barangay Kamagayan Cebu City”, intended as an intervention programme to address the problem of sharing of needles.

#### **Recommendation (b)**

**Governments are encouraged to review the methodology they use for data collection on drug use, patterns and trends, to obtain a more accurate assessment of the actual situation and to better assist in the design and implementation of effective interventions to reduce demand.**

49. In Afghanistan, the Ministry of Counter-Narcotics, in cooperation of the International Law Enforcement Bureau of the Department of State, conducted a survey in the urban areas of Afghanistan in 2012, using a scientific methodology using laboratory examination of the hair and saliva of clients. That survey was followed by another study in the rural areas of Afghanistan, based on the same methodology, whose findings were published in 2015.

50. Armenia reported that it collected data on drug users, as well as on persons convicted for illicit drug trafficking, which was then used as a basis for regular analyses of the drug situation, the detection of new trends and the implementation of relevant demand reduction measures. In 2012, the National Institutes of Health established the Monitoring Centre for Drugs and Addictions, which would publish national annual reports about drug's situation in Armenia. Also, in 2015, the Monitoring Centre began to prepare clinical guidelines regarding treating addictions, which conformed to the main recommendations of UNODC and WHO.

Procedures and terms for the registration and medical examination of drug addicts were defined by national legislation.

51. Brunei Darussalam noted that it was reviewing the methodology and that the existing data-collection system would be upgraded once the e-Government project is completed in two years.

52. China reported that the Office of its National Narcotics Control Commission endeavoured to improve the management mechanism for drug abusers, and also worked with the Food and Drug Administration to direct the National Surveillance Centre on Drug Abuse to collect over 200,000 monitoring reports on drug abuse from 1,315 drug treatment and rehabilitation facilities as well as the drug control bodies of the public security authorities. It also completed the national monitoring efforts on drug abuse for 2013 successfully, and gained further insight into the current situation of drug abuse. Meanwhile, in response to the rapid spread of synthetic drug abuse, the National Narcotics Control Commission had set up the Expert Committee on the Prevention and Control of Synthetic Drug Abuse, organizing 17 experts to study countermeasures against and the prevention and control of synthetic drug abuse, in an effort to address the issue in a more scientific manner.

53. In Hong Kong, China, in order to supplement the regular data series on drug use pattern collected through the Central Registry of Drug Abuse, the triennial large-scale student surveys and relevant drug-related data such as the admission statistics of drug treatment and rehabilitation service agencies, drug-related enforcement figures, the number of drug-related deaths and ad hoc research studies, were conducted to obtain a more accurate assessment of the actual drug use situation so as to facilitate the design and implementation of effective interventions. In the light of the prevalence of psychotropic drugs, such as ketamine, the Government had, in the past few years supported various research studies to examine the harmful effects of these drugs on the health of the abusers and the efficacy of various treatment modes. The findings of these studies had contributed to the development by the anti-drug sector of treatment methods and rehabilitative measures targeting specific abusers.

54. The Central Registration System for Drug Abusers in Macao, China, was established in 2009 to monitor the number of drug abusers as well as trends. Eighteen government and non-government organizations had been submitting anonymous data on drug abusers that they had contact with. In order to gain a better understanding of the drug abuse extent especially among teenagers, the Drug Abuse Screening Test-20 (DSAT-20) had been conducted annually since 2010. In addition, two follow-up surveys had been conducted regularly since 2001, targeting on in-school and street adolescents. The latest *Follow-up Survey on In-School Adolescents and Drugs* and *Survey of Drugs Abuse by Street Adolescents* had been conducted in 2014 and published in 2015.

55. France reported that, under the coordination of the Interministerial Mission for Combating Drugs and Addictive Behaviours, and as part of the Government Plan to Combat Drugs and Addictive Behaviours, all relevant actors had been required to implement and evaluate their methodology for collecting and analysing data on drug trafficking and drug use. The Monitoring Centre for Drugs and Drug Addiction (OFDT) was the main actor — it offered methodologies and had partners throughout

the country enabling it to collect information and samples from drug users. The emergence and circulation of new psychoactive substances were detected and recorded mainly through this mechanism. The work done by the OFDT was widely shared and coordinated with that of its national and international institutional partners, including the European Monitoring Centre for Drugs and Drug Addiction. Within the police services, the intelligence and strategy division of the Central Office for the Suppression of Illicit Drug Trafficking analysed and produced statistics on changes in drug use and drug trafficking, based, *inter alia*, on facts reported by the services and units of the national police and gendarmerie. These data are used as trend indicators. The National Task Force for the Control of Precursor Chemicals coordinated, at the national level, the INCB's Project ION.

56. India indicated that, in 2001, a National Household Survey was conducted by the Ministry of Social Justice and Empowerment, in collaboration with UNODC. Recently, a survey had been conducted in Punjab and Manipur through the appropriate Regional Resource Training Centre and in collaboration with the National Drug Dependence Centre, the All-India Institute of Medical Sciences, the Delhi and Regional Institute for Medical Sciences, Manipur, using response-driven sampling coupled with the multiplier method.

57. The National Narcotics Board of Indonesia had several ways of collecting data, including through information systems (qualitative and quantitative data on drug cases, evidence, suspects, rehabilitation patients, prevention and community empowerment programmes), as well as coordination meetings and correspondence letters. Data collection through information systems however was limited due to entry data and coordination meetings with relevant authorities were needed in order to collect additional qualitative data. The resulting analyses were used as a reference in the framework of policymaking.

58. Japan noted that no action had been undertaken in that country to implement this recommendation.

59. In Pakistan, the nationwide data on drug use remained a weaker aspect to date, owing to demographic diversity. There was no organized system for the accounting of drug users, patterns and trends. The last survey was conducted by the Statistic Division of Pakistan in 2012 (the *UNODC Drug Survey Report 2013*), in collaboration with UNODC.

60. In the Philippines, the Dangerous Drugs Board conducted household surveys every four years to determine the number of users and their drugs of choice. The data obtained through the surveys was used in assessing, planning, implementing and evaluating specific interventions, such as prevention education programmes, treatment and rehabilitation of drug-dependent persons, as well as alternative development projects.

61. In the Russian Federation, a system for monitoring the drug situation was in operation. Data were collected in accordance with the Monitoring Methodology and Procedure and Criteria for Assessing Drug Trends in the Russian Federation and its Constituent Entities (second revision), approved at a meeting of the State Anti-Drug Committee on 24 December 2014.

62. In Turkey, prevention activities for all age groups were carried out by 28,000 school counsellors, who completed implementer training and were employed

by the Ministry of National Education Activities. Activities were monitored via a code which defined Public Education Centres established in provinces and recorded on an online system so that activities provided by teachers could be maintained.

### **Recommendation (c)**

#### **Governments are encouraged to assess alternatives to imprisonment programmes for drug-dependent persons to reduce their exposure to HIV/AIDS and other blood-borne infectious diseases, where necessary**

63. In Afghanistan, the Ministry of Public Health, through the National AIDS Control Programme, provided HIV prevention and harm reduction services in eight provinces. This included HIV testing and counselling, antiretroviral therapy, prevention and treatment of sexually transmitted diseases, IEC/BCC for prisoners, hepatitis diagnosis, tuberculosis screening and primary health care.

64. Armenia reported that, due to amendments made in its Criminal Code in 2008, the use of drugs was decriminalized and mandated an administrative penalty. Since 2009, in the country's medical institutions, including those of penitentiaries, a methadone treatment programme had been launched for opioid drug addicts, aimed at the reduction of spread of illicit drug trafficking, HIV/AIDS and other blood-borne diseases. Since 30 December 2014, primary prevention of drug abuse in prisoners had envisaged the implementation of activities aimed at, inter alia, prevention of drug abuse among prisoners and at improving places of detention, technical equipment and other essential conditions in relevant institutions. Furthermore, national legislation provided for a probation service, which, among others, implemented other measures which were not connected to sanction of imprisonment and other coercive measures. This included the organization of programmes for people who injected drugs, thus contributing to reduction of the infection among the people who were at a higher risk of exposure to HIV/AIDS.

65. Brunei Darussalam had a standardized medical programme in place that dealt with HIV/AIDS and blood-borne diseases. There was no record of residents with HIV/AIDS at the Al-Islah Drug Rehabilitation Centre, although cases of Hepatitis B and C had been detected and precautionary measures had been taken.

66. In China, the National Health and Family Planning Commission worked with the Ministry of Public Security and the Food and Drug Administration to develop the *Administrative Measures on Drug Maintenance Treatment*, making new progress in enhancing the level of drug abuse treatment, solidifying achievements in drug rehabilitation and reducing drug hazards by continuing to explore and improve addiction intervention and rehabilitation treatment programmes in an innovative approach. Greater efforts were made regarding the specialized construction of drug abuse treatment and the promotion of maintenance treatment with methadone. As of the late 2014, a total of 767 clinics for maintenance treatment were set up in 28 provinces, autonomous regions and municipalities, with around 187,000 drug abusers under treatment. A maintenance treatment network was built, covering drug-hit areas throughout the country.

67. The Government of Hong Kong, China, in addition to imprisonment programmes, had a variety of voluntary treatment and rehabilitation programmes in place to help drug-dependent persons to quit drugs. The Government made great efforts in public education and awareness-raising to encourage drug abusers to reach

out to the help network and receive voluntary treatment and rehabilitation programmes. HIV prevention, testing and treatment were part of the Government's voluntary Methadone Treatment Programme (MTP) run by the methadone clinics. Through the MTP, opioid dependent persons, many of them injecting drug users, could receive methadone and reduce their craving for opioid and vulnerability to HIV/AIDS and other blood-borne diseases. More than 95 per cent of the patients accepted voluntary urine testing for HIV upon admission to the MTP and more than 70 per cent underwent testing at least annually afterwards. In addition, condoms and health advice on prevention of HIV and viral hepatitis were given to patients under the MTP. Furthermore, dedicated websites<sup>1</sup> and hotlines enabled the non-governmental organizations running the voluntary treatment and rehabilitation programmes for drug-dependent persons to receive technical support for conducting HIV education for their clients.

68. In Macao, China, offenders who were drug abusers could receive treatment with the option of suspended sentences. Treatment was an effective method to reduce exposure to HIV/AIDS and all the drug users, especially injecting drug users, were offered access to the MMT and Clean Needle Programme free of charge. MMT was also available in prison for those in need.

69. In France, the early detection of risk behaviours, prevention, and support and care tailored to the needs of each drug user, including those who are also criminal offenders, are among the priorities of the Government Plan to Combat Drugs and Addictive Behaviours (2013-2017). The decision on sanctions against drug users was within the remit of the judicial authorities, which encouraged the use of alternative measures to prosecution (e.g. caution, referral to a treatment provider, awareness-raising course on the dangers of drug use, order for medical treatment, etc.). The health-care bill currently discussion in Parliament sought authorization for a six-year trial run, in volunteer towns and cities, within a strictly controlled and evaluated setting, of low-risk drug consumption rooms. Opening low-risk drug consumption rooms was a response to the public health need in terms of encouraging access to care for highly marginalized drug users who were not yet benefiting from the existing risk reduction mechanism. There was also a second, public order need, particularly among local residents and business people faced with the nuisance of injecting drug use in the street, in particular used injecting equipment discarded on public thoroughfares.

70. In line with national legislation, the Government of India had been supporting the Integrated Rehabilitation Centre for Addicts under the Scheme of Prevention of Alcoholism and Substance (Drugs) Abuse run by voluntary organizations. On 15 July 2015, the Ministry of Social Justice and Empowerment organized a National Consultation Meeting in collaboration with the Federation of Indian NGOs for Drug Abuse Prevention on the decriminalization of drug use, possible strategies towards strengthening the treatment mechanisms for victims of drug abuse with special emphasis on women, youth and children, and on enhancing cooperation among various stakeholders.

71. Indonesia noted that the operational definition of the terminology relating to drug users should be based on the latest bibliography (e.g. DSM—V-TR).

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<sup>1</sup> [www.harmreduction.gov.hk](http://www.harmreduction.gov.hk) and [www.info.gov.hk/hepatitis](http://www.info.gov.hk/hepatitis).

72. Japan reported that no action had been undertaken to implement this recommendation, since no HIV infections had been detected in that country's prisons. Furthermore, the Government considered that the imprisonment of drug-dependent persons and the HIV infection were separate issues.

73. Pakistan noted that the spread of HIV/AIDS among drug-addicted individuals took place not just through injecting, but also through sexual intercourse. In the past, the Injecting Drugs Users Programme was run by organizing awareness-raising campaigns at addiction dens/sites and the distribution by outreach workers from the Anti-Narcotics Force of condoms and syringes at those sites. The Programme, however, has concluded and there was a need to re-establish it.

74. In the Philippines, law enforcement agencies, including the Drug Enforcement Agency, maintained their respective prison/jail facilities incidental to their law enforcement functions. Alternative imprisonment programmes for drug-dependent persons exposed to HIV/AIDS could only be adopted and implemented upon the issuance of policy guidelines from the Department of Health Philippine National AIDS Council, which was mandated by law as the central advisory, planning and policymaking body for the comprehensive and integrated HIV/AIDS prevention and control programme in the country.

75. The Russian Federation took a first step in establishing a nationwide system of treatment as an alternative to punishment for drug-dependent persons who have committed a minor offence by adopting national legislation whereby persons convicted for the first time of an offence and who have expressed the wish to voluntarily undergo a course of drug dependence treatment may be given a suspended sentence until they have completed the full course of treatment. Furthermore, a court may order a person who had committed an administrative offence under drug-related legislation and who had been formally recognized as a drug-dependent person or as a user of narcotic drugs without a doctor's prescription to undergo diagnosis, preventive treatment, drug dependence treatment or medical or social rehabilitation. A court may also order a person who has been sentenced to a main penalty in the form of a fine, disqualification from certain positions or activities, community service, unpaid labour or restriction of liberty to undergo drug-dependence treatment and medical and (or) social rehabilitation.

### **Issue 3: Controlling precursors and the illicit manufacture of heroin and amphetamine-type stimulants**

#### **Recommendation (a)**

**Governments should ensure that their competent national authorities register, support and actively participate in the Pre-Export Notification Online (PEN Online) system supported by the International Narcotics Control Board, to reduce the opportunity for traffickers to divert precursor chemicals to illicit manufacture**

76. Afghanistan reported that they had two users in PEN Online and that, through this system, it had sent information as well as prevented the import of substances under control.

77. Armenia joined the PEN Online system in 2011, while the appropriate subdivision of the Police periodically provided intelligence to the CIS Bureau

coordinating the fight against organized crime and other types of dangerous crime, including in relation to transnational criminal groups involved in drug trafficking.

78. The competent authorities in Brunei Darussalam for the control of precursor chemicals were the Narcotics Control Bureau (Enforcement), the Royal Customs and Excise Department (Monitoring) and the Pharmaceutical Enforcement at the Unit of Pharmaceutical Services under the Ministry of Health (Authorization). Each of these agencies had appointed focal persons to register in the PEN Online system, whose authorization is dealt with by the Unit of Pharmaceutical Services, after the legal and administrative arrangements are met.

79. China reported that its National Narcotics Control Commission attached great importance to the international verification of precursor chemical exports. In 2014, a total of 687 pre-export notifications of precursor chemical were issued, involving a total of 61,378.05 tons of 16 precursor chemicals to 58 countries and territories. Among them, 655 with a total of 55,495 tons passed the international verification, and 32 with a total of 5,883.05 were stopped.

80. In Hong Kong, China, Customs was registered as a competent national authority under the international drug control treaties. Through the use of PEN Online system, Customs actively exchanged information on shipments (export and import) of precursor chemicals with other Member States in order to prevent their diversion for the illicit manufacture of narcotic drugs and psychotropic substances.

81. In Macao, China, Economic Services had been approved as the use of the PEN Online system in June 2013, after which it had obtained access rights to the system and had been receiving pre-export notifications from other Member States.

82. In France, the exports of all controlled substances were systematically notified in advance through PEN Online, by the National Chemical Precursors Control Authority to the authorities of the destination countries. The Authority also raised awareness among economic operators, as well as coordinated, at the national level, the INCB project groups on the precursors for cocaine and heroin (Project Cohesion) and synthetic drugs (Project Prism).

83. In India, in accordance with national legislation, the Central Bureau of Narcotics always used PEN Online and issued pre-export notifications for the export of 17 substances listed in schedule "B" of the Regulation of Controlled Substances (TCS (NDPS), Order, 2013) of notified precursor chemicals and the manufacture, sale, distribution and transport of notified precursor chemicals under monitoring.

84. Indonesia reported that it had actively participated in PEN Online through its Ministry of Health. The import authorization for precursors was issued on the basis of Pharmaceutical Precursor Control and analysed and issued by the National Agency for Drug and Use Control. The control analysis was a tool to control the use of precursors by the pharmaceutical industry. The Agency undertook efforts to prevent and reduce the diversion of precursors, including: (a) strengthening regulations; (b) undertaking periodical inspections of facilities of pharmaceutical manufacturers, distributors, pharmacies, etc.; (c) developing a reporting system for the import, export, use and distribution of precursors; (d) cross-sectional cooperation and information exchange among agencies; and (e) administrative sanction or pro justitia to the facilities or person(s) involved in diversion.

85. Japan had actively participated in the PEN Online system. The system was also actively utilized by the Government of Pakistan, where pre-export notifications were cleared only for registered firms importing the shipments.

86. In the Philippines, the Drug Enforcement Agency was the competent authority and through its Compliance Service (PDEA-CS) was the operational regulatory enforcement arm for the national Drug Law and its Implementing Rules and Regulations. PDEA-CS was actively using PEN Online to alert the national competent authorities of the importing country with the details of the exportation transaction. It also assisted the competent national authorities in identifying and confirming the legitimacy of individual shipments of precursors and enables suspicious shipments to be suspended or stopped in an efficient and timely manner.

87. In the Russian Federation, in accordance with national legislation, legal entities engaging in the import into and export from the customs territory of the country were required to send by recorded delivery or by courier to the Ministry of Industry and Trade quarterly reports and an annual report on the quantity of each imported or exported precursor using the forms approved for that purpose. The Ministry was then required to prepare an annual summary report, based on the reports submitted by legal entities concerning the quantity of each imported or exported precursors containing data with respect to each legal entity and to submit each such report to the Federal Drug Control Service.

#### **Recommendation (b)**

**Governments should be encouraged to raise public awareness of the dangers of new psychoactive substances, while at the same time taking steps to review and amend legislation in order to ensure enforceable controls are in place to control their importation, manufacture and distribution**

88. Afghanistan noted that it had become a member of IONICS. Armenia noted that it intended to, inter alia, implement long-term awareness-raising programmes, to expand job prospects for drug addicts who had received treatment, to promote research to assess the health and social needs of persons who no longer used drugs, to conduct studies and investigations, to develop scientifically sound approaches to drug abuse prevention, especially among juveniles and youth, and to promote the active involvement of NGOs.

89. Brunei Darussalam indicated that it had not seized any new NPS, although it was aware of their emergence and examined the possibility of reviewing/amending its legislation. To date, ketamine, which used to be categorized as a NPS, had been reclassified as a controlled drug in 2012.

90. By the end of 2013, China included twelve new psychoactive substances including JWH-018, 3,4-methylenedioxypyrovalerone (MDPV) and khat under national control. The National Narcotics Laboratory established a risk assessment system of NPS and other harmful substances, and systematically assessed the harmfulness of and dependence on NPS via animal subjects in order to provide scientific bases for the control and prevention efforts.

91. In October 2013, the Government of Hong Kong, China, brought the precursor alpha-phenylacetonitrile, methoxetamine and relevant derivatives under



national control. New types of synthetic cannabinoids and NBOMe compounds would be placed under control from 27 November 2015.

92. In April 2014, Macao, China, included five emerging psychoactive substances — piperazine, synthetic cannabinoids, Cathinone, *salvia divinorum* and Salvinorin A — in the list of controlled drugs attached to Article 4 of Macao Law No. 17/2009. The Government established an Anti-Narcotics committee in 2008. One of the functions on this committee was to review existing legislation regarding drug-related issues.

93. In France, the Government Plan to Combat Drugs and Addictive Behaviours (2013-2017) provided for measures to improve identification of NPS, to provide treatment for users at accident and emergency departments, to develop online risk reduction practices and to better understand offences detected online. France also worked closely with EMCDDA and within the Reitox network; the Central Office for the Suppression of Illicit Drug Trafficking informed police authorities about new trends and worked with Europol. Attempts had been made to improve the equipment at Customs laboratories, as well as to broaden Internet surveillance.

94. In India, training was conducted to raise awareness among law enforcement officers. Ketamine and mephedrone, including its salts, had been classified as psychotropic substances.

95. The National Narcotics Board of Indonesia used electronic and print media, as well as cultural performances, to raise awareness including regarding NPS.

96. Japan created a new “Designated Substances” category to control NPS under national legislation. That category included 2,320 substances, whose importation/exportation manufacture, trafficking, possession and use were prohibited. Following the adoption of “Emergency Measures to Eliminate Dangerous Drug Abuse”, by July 2015, Japan had eliminated all the NPS street shops. On 1 April 2015, Japan added a large number of NPS as designated substances and raised awareness of this action.

97. Pakistan reported that awareness-raising campaigns on drugs and NPS among the vulnerable populations were conducted occasionally as an outcome of the drug demand strategy of its Anti-Narcotics Force. Pakistan updated its list of controlled substances based on the outcomes of the annual sessions of the CND.

98. The Drug Enforcement Agency of the Philippines operationally enforced national regulations on handling the legitimate use of dangerous drugs and precursor chemicals. The Agency also enhanced its awareness-raising, education and advocacy programmes on regulatory control over handlers of such substances.

99. The Russian Federation reported that the definitions set out in national legislation had been amended to include definitions of “new potentially dangerous psychoactive substances” and of “trade in new potentially dangerous psychoactive substances”; that a list of federal authorities, organizations and entities authorized to use new potentially dangerous psychoactive substances in research, study and expert activities was defined; that a Register of prohibited new potentially dangerous psychoactive substances was published officially and on the Internet; and that work had been undertaken to inform the public of the dangers of new, potentially dangerous psychoactive substances.

100. Turkey noted that, following an amendment to its national law, a large number of synthetic cannabinoids derivatives were included into the scope of the law. Turkey adopted an Emergency Action Plan on the Fight against Drugs at the beginning of 2015 and an integrated approach was adopted. New awareness-raising and education programmes were under preparation, including on the dangers of NPS, especially synthetic cannabinoids (often sold in the country under the name of the tree “bonsai”).

#### **Recommendation (c)**

##### **Governments are encouraged to collaborate in the sharing of information on the detection and toxicological properties of new psychoactive substances through the United Nations Office on Drugs and Crime (UNODC) synthetic monitoring: Analyses Reporting and Trends (SMART) initiative**

101. Afghanistan noted that it had not yet taken action to implement this recommendation. Armenia indicated that, although it did participate in the SMART initiative, it had exchanged information on NPS in the framework of the project ION.

102. In Brunei Darussalam, the Department of Scientific Services was responsible for the analytical assessment of illicit drugs, although, since no NPS had been detected and due to lack of resources, no toxicological analyses had been conducted.

103. China’s National Narcotics Control Commission participated in and shared information through the SMART programme. The UNODC Global SMART Programme Regional Programme Workshop was held in September 2015 in Beijing. Hong Kong, China, indicated that its Customs had been sharing information with overseas counterparts on the detection of NPS using the Precursors Incident Communication System and the Project ION Communication System (IONICS). Macao, China, noted that it had undertaken no action to implement this recommendation.

104. France noted that its Central Office for the Suppression of Illicit Drug Trafficking responded to questionnaires received from UNODC every year.

105. India reported that, according to its Government’s Central Forensic Laboratory, the new drugs that received its attention were 4-methylmethcathinone (4-MMC), synthetic cannabinoids, 6-monoacetylmorphine (MAM), phenyl-propanolamine, agarbatti (scented sticks) and energy drinks in the guise of herbal preparations.

106. The National Narcotics Board of Indonesia reported that it actively participated in the SMART programme by attending annual meetings and reporting through the DAINAP application.

107. Japan actively collaborated with UNODC and its SMART initiative, as well as provided information on NPS to UNODC. Pakistan reported that neither its Anti-Narcotics Force nor other agencies had seized any NPS.

108. The Drug Enforcement Agency of the Philippines was willing to share information on NPS with UNODC, once data were available. It had recommended the classification of the NPS *salvia divinorum* as a dangerous drug.

109. The Russian Federation noted that, in accordance with its national legislation, it was monitoring the drug situation, including the spread of new psychoactive substances, on a yearly basis. Furthermore, the Ministry of the Interior submitted that information, including information on NPS, to the Federal Drug Control Service every month for compilation and transmission to UNODC. For the purpose of cooperation and information-sharing, the Government had concluded agreements with 40 countries.

## Conclusions

110. Most Governments that returned the questionnaire had undertaken measures to counteract new trends in the use of technology by drug trafficking and organized criminal groups by reviewing and amending their existing legislation, where appropriate and by ensuring that their law enforcement agencies, prosecution services and judiciary were aware of the need of and were adequately trained, supported and funded to undertake the investigation, gathering of evidence and prosecution of offences, involving cyber-related drug trafficking and money-laundering offences. Governments also endeavoured to meet the challenges of Internet-based pharmacies and similar websites offering illicit or controlled drugs and pharmaceutical preparations by taking steps to ensure close cooperation between national law enforcement and regulatory authorities.

111. Regarding the role of law enforcement authorities in developing and implementing strategies for preventing drug trafficking and abuse, almost all the Governments provided specific training to their law enforcement on HIV/AIDS, illicit drug use and effective approaches to interacting with people who injected drugs. Furthermore, most Governments had collected data on drug use, patterns and use, while some Governments reviewed the methodology in order to obtain more accurate assessments of the actual situation. Where not already available, many Governments assessed alternatives to imprisonment programmes for drug-dependent persons in order to reduce their exposure to HIV/AIDS and other blood-borne diseases.

112. Regarding the control of precursors and the illicit manufacture of heroin and amphetamine-type stimulants, almost all the Governments had ensured that their competent national authorities registered, supported and actively participated in the Pre-Export Notification Online (PEN Online) system, supported by the International Narcotics Control Board. In addition, all responding Governments had undertaken steps to ensure that enforceable controls were in place to control the importation, manufacture and distribution of NPS, while a number of Governments endeavoured to raise public awareness of the dangers posed by such substances.

113. Several Governments reported as having collaborated in the sharing of information on the detection and toxicological properties of new psychoactive substances through the United Nations Office on Drugs and Crime (UNODC) synthetic monitoring: Analyses Reporting and Trends (SMART) initiative. Reference was also made to the Precursors Incident Communication System and the Project ION Communication System (IONICS), as well as to a number of national initiatives.