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Items 3 and 11 of the provisional agenda*

Follow-up to the twentieth special session of the General Assembly: general overview and progress achieved by Governments in meeting the goals and targets for the years 2003 and 2008 set out in the Political Declaration adopted by the Assembly at its twentieth special session

Global debate of the ministerial segment: assessment of the progress achieved and the difficulties encountered in meeting the goals and targets set out in the Political Declaration adopted by the General Assembly at its twentieth special session

Second biennial report on the implementation of the outcome of the twentieth special session of the General Assembly, devoted to countering the world drug problem together

Report of the Executive Director**

* E/CN.7/2003/1.

** The present document draws on the assessments contained in documents E/CN.7/2003/2/Add.1-6, the preparation of which was affected by the late submission of replies to the biennial reports questionnaire for the second reporting period (2000-2002).



Summary

In paragraph 20 of the Political Declaration adopted by the General Assembly at its twentieth special session (Assembly resolution S-20/2, annex), the Assembly called upon all States to report biennially to the Commission on Narcotic Drugs on their efforts to meet the goals and targets for the years 2003 and 2008 agreed upon at the twentieth special session of the Assembly and requested the Commission to analyse those reports in order to enhance the cooperative effort to combat the world drug problem. In its resolution 42/11, the Commission requested the Executive Director of the United Nations International Drug Control Programme to prepare a biennial report, to be submitted to the Commission, on the efforts of Governments and the difficulties encountered in meeting the objectives and target dates agreed upon by the Assembly at its twentieth special session. The first biennial report was presented to the Commission at its forty-fourth session. The Commission, in its resolution 42/11, called for subsequent reports to be prepared for its consideration in the years 2003, 2005, 2007 and 2008. In its resolution 44/2, the Commission called upon the Executive Director to pay particular attention, in the biennial report to be submitted to it in 2003, to the progress achieved and setbacks encountered in meeting the targets for that year set out in the Political Declaration. The Commission also provided guidelines to the Executive Director in preparing the second biennial report. The present report (E/CN.7/2003/2 and Add.1-6) is based on an analysis of information received from States reporting on the action plans and measures adopted by the Assembly at its twentieth special session.

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I. Introduction

1. At its twentieth special session, devoted to countering the world drug problem together, the General Assembly adopted a Political Declaration, the Declaration on the Guiding Principles of Drug Demand Reduction and measures to enhance international cooperation to counter the world drug problem, including: (a) the Action Plan against Illicit Manufacture, Trafficking and Abuse of Amphetamine-type Stimulants and Their Precursors; (b) measures for the control of precursors; (c) measures to promote judicial cooperation; (d) measures to counter money-laundering; and (e) the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development (resolutions S-20/2, annex, S-20/3, annex, and S-20/4 A to E, respectively). In its resolution 54/132 of 17 December 1999, the General Assembly adopted the Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction, annexed to that resolution.

II. Mandate of the Commission emanating from the twentieth special session of the General Assembly and action taken by the Commission

2. In paragraph 20 of the Political Declaration adopted at its twentieth special session, the General Assembly called upon all States to report biennially to the Commission on Narcotic Drugs on their efforts to meet the goals and targets set for the years 2003 and 2008 and requested the Commission to analyse those reports in order to enhance the cooperative effort to combat the world drug problem. As requested by the General Assembly in its resolutions 54/132, 55/65 and 56/124, the Secretary-General submitted to the Assembly at its fifty-fifth, fifty-sixth and fifty-seventh sessions, respectively, a report on the implementation of the outcome of the twentieth special session, including on the Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction.

3. In its resolutions 42/11 of 1 December 1999 and 44/2 of 13 December 2001, the Commission requested the Executive Director to cover in his report the difficulties encountered and the efforts of Governments in meeting the objectives and target dates agreed upon by the General Assembly at its twentieth special session, on the basis of a comprehensive, confidential and balanced treatment of information covering all aspects of the drug problem. In its resolution 42/11, the Commission called for the United Nations International Drug Control Programme (UNDCP) to draw on its expertise and experience gained from its global technical assistance programmes and information collected under various relevant questionnaires. In its resolution 44/2, the Commission requested the Executive Director to identify elements of the biennial questionnaire that might need adjustment, taking into account the difficulties encountered and deficiencies perceived in completing the first biennial questionnaire, and to submit proposals for amendments to the Commission for adoption at its reconvened forty-fourth session. The Commission adopted the revised biennial questionnaire at its forty-fourth session, in December 2001. The questionnaire covers all sectors of drug control, and information is provided by different ministries and agencies, according to their fields of competence. In its resolution 42/11, the Commission decided to

submit a report to the Assembly in 2003 and 2008 on the progress achieved in meeting the goals and targets set out in the Political Declaration.

4. In order to provide the necessary time for analysis of the information and reporting, the Commission, in its resolution 42/11, requested Member States to transmit to the Executive Director their replies to the first biennial questionnaires by 30 June 2000. The Commission, in its resolution 44/2, urged Member States to transmit to the Executive Director their replies to the second biennial questionnaire by 30 June 2002. By 30 June 2002, the Secretariat had received replies to the second biennial questionnaire from the following 15 States: Armenia, Colombia, Costa Rica, Guatemala, Italy, Lebanon, Mexico, Nauru, Paraguay, Saudi Arabia, South Africa, Spain, Sri Lanka, Switzerland and Venezuela. By 15 November 2002, a total of 117 replies to the questionnaires¹ had been received, on the basis of which the present report was prepared. At the fourth intersessional meeting of the Commission, held on 18 November 2002, it was noted that, in view of the fact that most of the replies to the second questionnaire had been submitted more than four months after the deadline of 30 June 2002, the Executive Director would not be in a position to submit his biennial report to Member States no later than three months prior to its review by the Commission, as called for in Commission resolution 42/11.

III. Reporting on the action plans and measures adopted by the General Assembly at its twentieth special session: an overview

5. At its forty-fourth session, the Commission examined the first biennial report (E/CN.7/2001/2) and the consolidated first biennial report of the Executive Director (E/CN.7/2001/16). The second biennial report is structured as follows:

- (a) Introductory part (E/CN.7/2003/2);
- (b) Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction (E/CN.7/2003/2/Add.1);
- (c) Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development (E/CN.7/2003/2/Add.2);
- (d) Measures to promote judicial cooperation (E/CN.7/2003/2/Add.3);
- (e) Action Plan against Illicit Manufacture, Trafficking and Abuse of Amphetamine-type Stimulants and Their Precursors (E/CN.7/2003/2/Add.4);
- (f) Control of precursors (E/CN.7/2003/2/Add.5);
- (g) Countering money-laundering (E/CN.7/2003/2/Add.6).

6. The response rate of 109 replies to the questionnaire for the baseline (or first) reporting period (1998-2000) and 117 replies to the questionnaire for the second reporting period (2000-2002) is highly satisfactory. Whereas by November 2000, 81 replies had been received to the questionnaire on which the initial version of the first biennial report was prepared for the Commission at its forty-fourth session, in March 2001, 117 replies to the questionnaire had been received by 15 November 2002. However, some States completed only certain parts of the questionnaire. By

comparison, 120 States had submitted replies to the annual reports questionnaire on the implementation of the international drug control treaties in 1999 and 117 States had submitted replies to that questionnaire in 2002. It is expected that, as the biennial questionnaire becomes more established, the response rate should improve. Nevertheless, since the biennial questionnaire is an important instrument for monitoring the efforts of States, including the difficulties encountered in implementing the action plans and measures adopted by the General Assembly at its twentieth special session, the Commission may wish to explore ways of ensuring an improved response by States, in particular the timely submission of their replies to the questionnaire to the Secretariat.

7. The present report is based on the replies to the questionnaire for the second reporting period (2000-2002). It provides standardized data to facilitate the mid-term review and the preparation of the report of the Commission to the General Assembly in 2003. The Commission may wish to request those States which have not yet submitted their replies to the questionnaire to do so in 2003.

8. The total of 117 replies to the questionnaire for the second reporting period were included in the analysis; that number includes all replies received by 15 November 2002. The increased response level is significant, as the success of the follow-up analysis depends upon a high response level, in terms of both the number of States responding and the actual information provided through the questionnaire. Taking into consideration all information provided by States in the questionnaire, the analysis seeks to assess the progress achieved in meeting the goals and targets set by the General Assembly at its twentieth special session. The comparability of the data for the two reporting periods is limited, as not all questions were comparable and not all States that sent replies for the first reporting period did so for the second reporting period. The analysis takes into account that limitation in comparing the results of the baseline (or first) reporting period with those of the second reporting period in order to gauge the progress made in implementing the various action plans and measures. Furthermore, in order to keep the data as comparable as possible, only those questions which had essentially remained the same in the questionnaire were included.

9. Figure I provides a regional breakdown of the total number of replies received for the first reporting period (1998-2000) and for the second (2000-2002). It presents the response rate, by region, in terms of the total number of States and territories that could have responded from each region. More replies were submitted by States in Africa, Asia and Oceania in the second reporting period than in the first reporting period. In the Americas and Europe, the response rate decreased slightly.

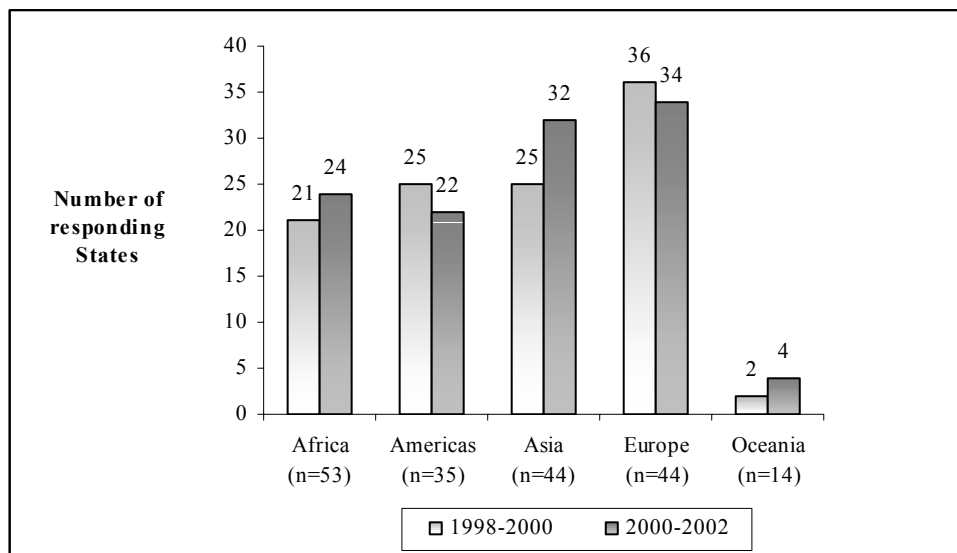
10. The action plans and measures adopted by the General Assembly at its twentieth special session served as a catalyst for action, in particular in the implementation of the international drug control treaties. Several activities reported by States in the questionnaire were undertaken to comply with earlier mandates, such as those relating to precursors, pursuant to article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,² and those relating to amphetamine-type stimulants (ATS), pursuant to the Convention on Psychotropic Substances of 1971.³ The analysis accordingly presents a summary of the action taken by States, as reported in the questionnaire. However, it was not feasible to include an assessment of the effectiveness of such action. The action plans and measures adopted by the Assembly at its twentieth special session

have become a point of reference at the national and regional levels. They have had a major impact, as Governments of countries ravaged by the effects of illicit drugs over the previous three decades could at last see their national efforts as part of a global strategy.

Figure I

Responding States, by region, 1998-2000 and 2000-2002^a

(n = number of States in the region that could have responded to each questionnaire)



^a The European Commission also submitted replies to the questionnaire.

A. Pursuing a balanced approach: incorporating the Guiding Principles of Drug Demand Reduction into National Strategies

11. National drug control strategies or plans have been adopted or updated to include the goals and targets that emerged from the twentieth special session of the General Assembly. A national drug control strategy or plan is an essential instrument to ensure careful planning and coordinated action that addresses all aspects of the drug problem and the interaction between different areas of activity such as law enforcement, health, education and economic development. National strategies or plans should coordinate the balanced approach between measures to reduce illicit drug demand and measures to reduce illicit drug supply. Of the States replying to the questions in section II of the questionnaire, entitled "General", 84 per cent indicated that they had adopted a national drug strategy or action plan. Several reported that a national strategy or action plan was in preparation.

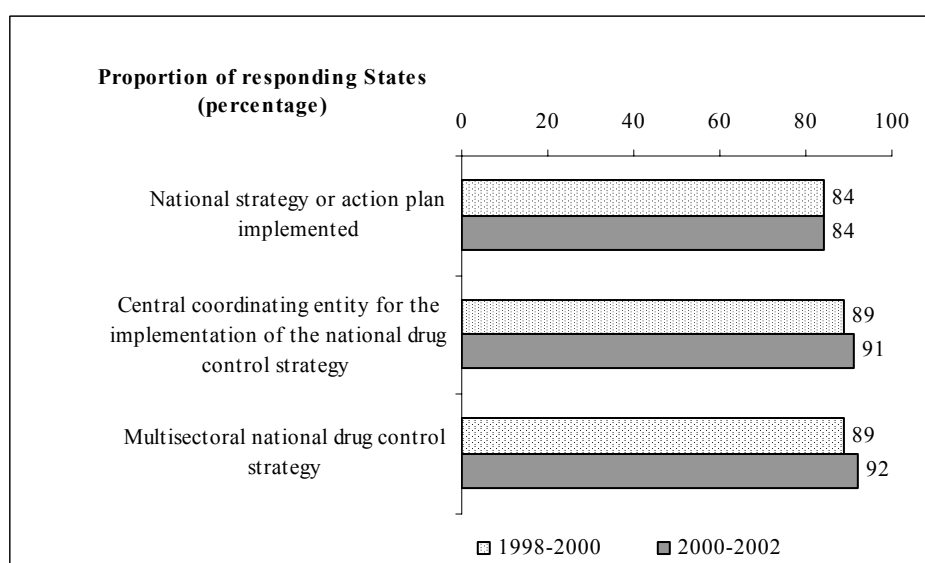
12. Effective coordination between the various sectors (government and society) is an essential requirement for the implementation of the national drug strategy or action plan. Most of the States responding to the questionnaire (89 per cent) indicated that they had established a central coordinating entity to coordinate the implementation of the national drug strategies or action plans. In view of the high political commitment attached to combating the drug problem and the importance of coordination and leadership, in several States, the national coordinating entity for

the implementation of the national drug strategy was chaired by a high-level representative. Other States had established national inter-agency committees at the ministerial level to enhance coordination.

13. While the nature of the overall responses to the questionnaire does not enable a qualitative assessment of the effectiveness and impact of such national strategies and action plans, the fact that the majority of responding States have taken steps to develop and implement a national drug control strategy or action plan is itself a significant and positive development. It confirms the importance and high priority assigned to countering the drug problem. Thus, it can be concluded that the international community has made major progress towards implementing those critical commitments contained in General Assembly resolutions S-20/2, annex, and S-20/4 A to E (see figure II).

Figure II

National drug control strategies adopted, 1998-2000 and 2000-2002



14. In many cases, the national strategic framework and programmes have placed special emphasis on the synergies and complementarity between control measures and health and law enforcement policies and programmes. Those efforts have facilitated the coordination of law enforcement, prevention, treatment and social reintegration programmes, resulting in a more balanced approach with greater emphasis on demand reduction. Of the 117 replies to the questionnaire for the second reporting period, 82 per cent indicated that the Guiding Principles of Drug Demand Reduction (General Assembly resolution S-20/3, annex, para. 8) had been incorporated into their national drug strategies or action plans. That was a significant improvement compared with the replies to the questionnaire for the first reporting period.

15. Progress has also been made towards an integrated and balanced approach. Most States replying to the questionnaire for the second reporting period (89 per cent) stated that their national drug strategies or action plans were multisectoral.

They covered two or more of the main sectors, which included health, social programmes, education, law enforcement, justice, employment and/or other sectors. The involvement of non-governmental organizations, civil society associations, churches, charitable funds and communities in the formulation and implementation of national drug strategies was mentioned in almost all the replies.

B. Drug demand reduction

16. Member States reported progress in setting up new or enhanced drug demand reduction strategies and programmes by 2003. An analysis of the action taken by Member States to implement the Action Plan for the implementation of the Guiding Principles of Drug Demand Reduction is contained in document E/CN.7/2003/2/Add.1. A comparison of the replies of the 89 States that responded to both the questionnaire for the baseline (or first) reporting period and the questionnaire for the second reporting period indicates that there has been an increase in the proportion of States reporting the existence of comprehensive national demand reduction strategies (89 per cent in the period 2000-2002, up from 84 per cent in the period 1998-2000).

17. The proportion of States reporting that demand reduction activities were based on an assessment of the drug abuse situation and analysis of data, as stressed in the Declaration on the Guiding Principles of Drug Demand Reduction (General Assembly resolution S-20/3, annex), rose from 74 per cent in the first reporting period (1998-2000) to 84 per cent in the second reporting period (2000-2002). More States reported having mechanisms for assessing the problem (82 per cent in the second reporting period, compared with 61 per cent in the first reporting period) and there has also been an increase in the number of national databases established for drug demand reduction. Similarly, the replies submitted in both reporting periods provide evidence of the considerable and increasing multisectoral nature of national strategies for demand reduction and multi-agency participation in their development and implementation. A significant increase in the decentralization of demand reduction activities to the local level and greater involvement of civil society were also noted.

18. There was also an increase (from 69 per cent in the first reporting period to 75 per cent in the second reporting period) in the proportion of States having a framework for assessing and reporting on the achievements of their national strategies for demand reduction, in line with the emphasis placed in the Guiding Principles of Drug Demand Reduction on assessment and the adoption of an evidence-based approach.

19. Progress was also reported in dealing with drug abuse prevention and treatment and the rehabilitation of drug abusers. Between the two reporting periods, there was an increase in the coverage of prevention programmes, particularly those dealing with the development of life skills and the provision of alternatives to drug abuse and those being implemented in health centres and in the correctional system. One third of all programmes, with the exception of those in the workplace setting, were reported to be gender-sensitive. In relation to the provision of treatment services, the replies to the questionnaire for the second reporting period indicate an overall decrease in the proportion of States offering such services. However, that

may not represent an actual decrease, as States report the provision of specialized treatment services under other headings and the proportion of States reporting medium-to-high coverage of certain services increased between the reporting periods. There was an increase in the proportion of States reporting the availability of non-pharmacological treatment delivered by institutions and by specialized treatment services. More States seem to be offering specialized services such as detoxification and substitution treatment, and there seems to be greater involvement of primary-care and other health-care facilities, correctional institutions, community institutions and specialized addiction treatment facilities in the provision of medium-to-high coverage of treatment services.

20. An increase in the coverage of target groups has also been reported for programmes aimed at reducing the negative health and social consequences of drug abuse, in particular programmes providing testing for infectious diseases, such as human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS).

21. There has also been a slight increase in the proportion of States reporting the inclusion of public information campaigns in their national drug strategies (from 81 per cent in the first reporting period to 83 per cent in the second reporting period) and the use of social mediators in conveying demand reduction messages. In addition, a significant increase was registered in the proportion of States basing their information campaigns on needs assessments (from 79 per cent in the first reporting period to 95 per cent in the second reporting period).

22. States reported on the nature of the difficulties encountered in implementing the Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction. The area most often cited as causing difficulties in the implementation of the Action Plan was financial constraints (over 50 per cent of respondents in the second reporting period); it was followed by lack of appropriate systems and structures, technical expertise, and issues of coordination and multisectoral cooperation, each of which was cited by at least one third of respondents. In addition, 18 per cent of respondents indicated that existing national legislation presented difficulties to the implementation of the Action Plan. Clearly, additional financial resources are needed for demand reduction activities in all sectors.

23. The information available shows that States took seriously the commitments made at the twentieth special session of the General Assembly. Activities have increased considerably in almost all areas and largely correspond to the mandates contained in the Action Plan for the Implementation of the Guiding Principles of Drug Demand Reduction. The replies to the questionnaire do not, however, permit an assessment of the impact of the new strategies and programmes being implemented by States.

24. While there is scant information on the impact of strategies adopted since 1998, it would be a mistake to conclude that efforts so far have been ineffective. The absence of overall measurable results in the reduction of drug abuse (see the report of the Secretariat on the world situation with regard to drug abuse (E/CN.7/2003/4)) is closely related to the fact that reducing demand for illicit drugs requires the ability to alter attitudes and behaviours. A significant change in that area requires sustained long-term efforts. Progress has been made. States are

pursuing a balanced approach and demand reduction has become a priority for most States and is given equal, if not greater, importance than initiatives to combat drug trafficking and illicit drug supply. The level of drug abuse, especially in developing countries and countries with economies in transition, is a cause for concern, despite the fact that in some other parts of the world the abuse of certain drugs has stabilized. Demand reduction efforts need to be stepped up over the next five years to achieve significant and measurable results. In particular, Governments should continue to demonstrate their commitment by allocating resources that are commensurate with their commitment and the strategies that they have adopted at the national and international levels.

C. Action Plan against Illicit Manufacture, Trafficking and Abuse of Amphetamine-type Stimulants and Their Precursors

25. ATS present a special challenge for international drug control. The relative ease of manufacturing ATS from readily available chemicals, together with other characteristics of ATS, such as their high profit margins for drug traffickers and low prices for consumers, have led to an expansion of illicit markets for such stimulants. Additionally, ATS have developed a reputation for being relatively benign, mistakenly perceived by young drug abusers as a non-addictive, safe and harmless drug without lasting side effects.

26. That has made efforts to suppress ATS correspondingly difficult. Nevertheless, recent studies on methylenedioxymethamphetamine (MDMA, commonly known as Ecstasy) suggest that its long-term abuse may lead to increased tolerance levels; thus abusers of Ecstasy may require ever higher doses to achieve the same mood-elevating effects. Such abuse may also lead to dependence, as well as to severe psychiatric and neuro-cognitive consequences.

27. An analysis of the efforts by States to implement the Action Plan against Illicit Manufacture, Trafficking and Abuse of Amphetamine-type Stimulants and Their Precursors is provided in document E/CN.7/2003/2/Add.4. In response to the Action Plan, States are implementing the provisions of the international drug control treaties, the resolutions and decisions of the Economic and Social Council and of the Commission and the recommendations of the International Narcotics Control Board related to the illicit manufacture of, trafficking in and abuse of synthetic drugs, particularly ATS. In some countries, there has been only partial implementation and the legislative framework has yet to be established.

28. The ATS problem has spread geographically, while global awareness of the threat posed by the problem remains limited and responses have been heterogeneous and inconsistent. Most States (80 per cent of respondents) have, however, launched national prevention campaigns and strategies to raise awareness of the abuse of ATS and have given the matter high priority. Such campaigns on the harmful effects of ATS have focused on parents and youth, as well as other groups, such as truck drivers, the entertainment industry, schools and universities. National prevention campaigns have been initiated in several countries (60 per cent of respondents to the questionnaire) and special measures, such as the provision of specialized treatment and after-care services have been provided (30 per cent of respondents). Non-

governmental organizations have played a pivotal role in furthering measures to reduce the illicit demand for ATS.

29. To better understand the nature and extent of the problem, an increased proportion of responding States have taken measures to continuously monitor the illicit demand for and abuse of ATS. Epidemiological surveys, including household, school and prison service surveys, have been conducted to assess the most recent patterns and trends in the abuse of drugs, including ATS. Some States, such as member States of the European Union, have established early warning systems for new synthetic drugs.

30. Recipes for the clandestine manufacture of ATS, techniques used in the abuse of ATS, images of ATS as harmless drugs and methods used to evade controls are widely available, particularly on the Internet. Law enforcement agencies are working to improve capacities to counter the misuse of information technology, particularly the unscrupulous use of the Internet, to facilitate the illicit sale of controlled substances, particularly ATS and their precursors. Some Governments have established special units for the investigation of the use of the Internet for such criminal activities. More Governments should, however, develop strategies for using all the means provided by modern information technology to disseminate information on the adverse consequences of ATS abuse. Several Governments have already established web pages containing drug information that target the public, in particular parents, students and health-care professionals.

31. The global illicit market for ATS is supplied mainly through the spread and diversification of the clandestine manufacture of ATS and, to a lesser extent, by the diversion of ATS from the licit market. As precursors for ATS have a wide range of licit uses, their effective monitoring can be successful only with the close cooperation of the chemical industry. Many States (63 per cent of respondents) reported having taken measures to detect the clandestine manufacture of ATS, including measures to monitor the methods used for manufacturing ATS in clandestine laboratories. For example, several States (38 per cent of respondents) regularly carry out signature analysis and profiling of seized ATS. Specialized law enforcement teams have been provided with training in the detection and dismantling of clandestine drug laboratories, drug investigation techniques, combating drug trafficking through the mail system, the exchange of drug-related information with competent international authorities. More than half of the responding States (55 per cent) reported that they had taken measures to enhance cooperation with the chemical industry to prevent the diversion of precursors for ATS. They had also taken measures to limit the irresponsible marketing and prescribing of ATS. A significant breakthrough at the international level was the agreement reached to further international cooperation in monitoring precursors used for the illicit manufacture of ATS under a new initiative called Project Prism. Closer cooperation between Governments, particularly their competent authorities and law enforcement agencies, is essential to ensure that the initiative is successful.

32. Strengthened laws and law enforcement efforts are needed to counter trafficking in ATS. Improved regional cooperation is vitally needed to counter the threat posed by the illicit manufacture of, trafficking in and abuse of ATS. However, while countering that threat is a shared responsibility, only 35 per cent of the responding States indicated that they had provided assistance to other States in dealing with the illicit manufacture of, trafficking in and abuse of ATS. Further

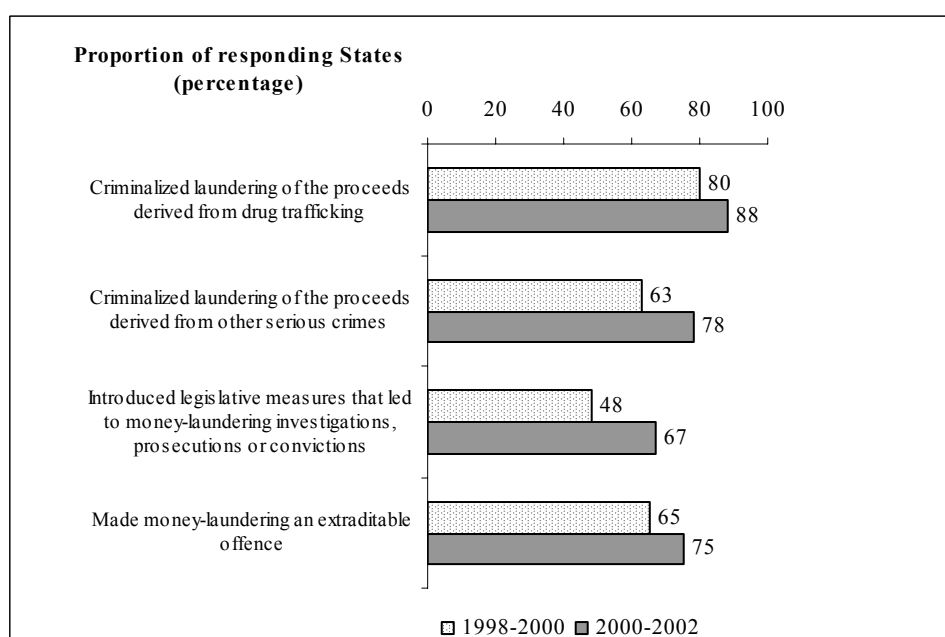
special efforts are needed to improve the assistance provided by States to one another in facing the challenge.

D. Countering money-laundering

33. Significant progress is being made in countering money-laundering. An analysis of the efforts by States to counter money-laundering is contained in document E/CN.7/2003/2/Add.6. There was an increase in the percentage of responding States that had made the laundering of proceeds derived from drug trafficking and other serious crimes a criminal and extraditable offence (see figure III).

Figure III

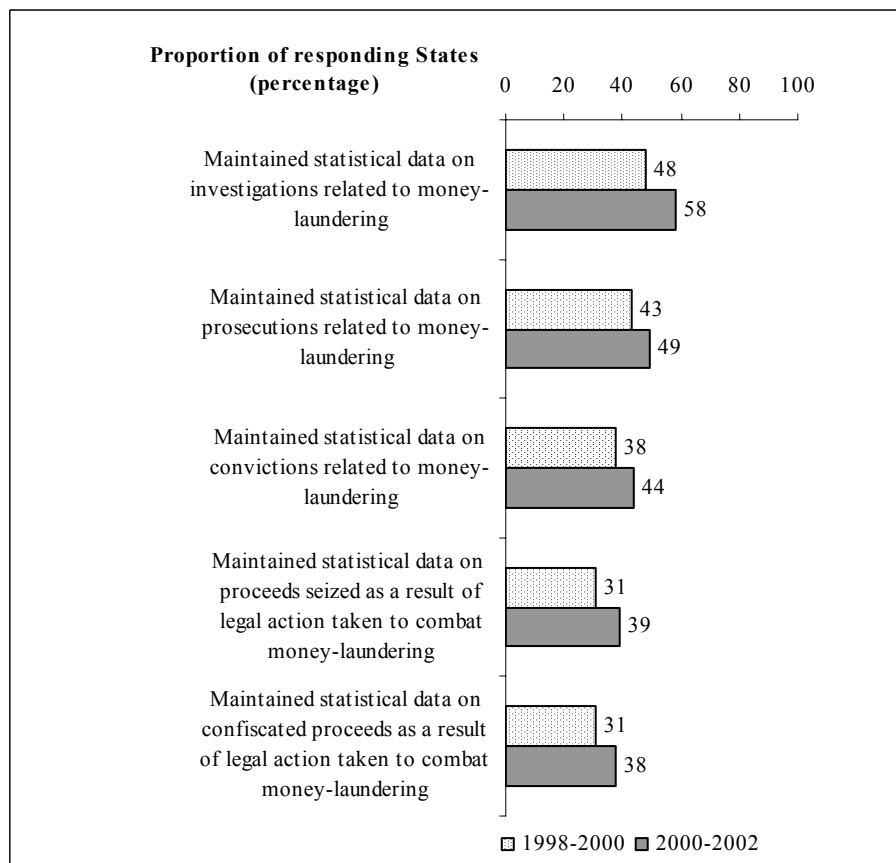
Proportion of responding States with measures against money-laundering, 1998-2000 and 2000-2002



34. To monitor continuously their efforts and assess their effectiveness, an increased proportion of responding States maintained statistical data on investigations, prosecutions and convictions related to money-laundering, as well as on seized and confiscated proceeds (see figure IV).

Figure IV

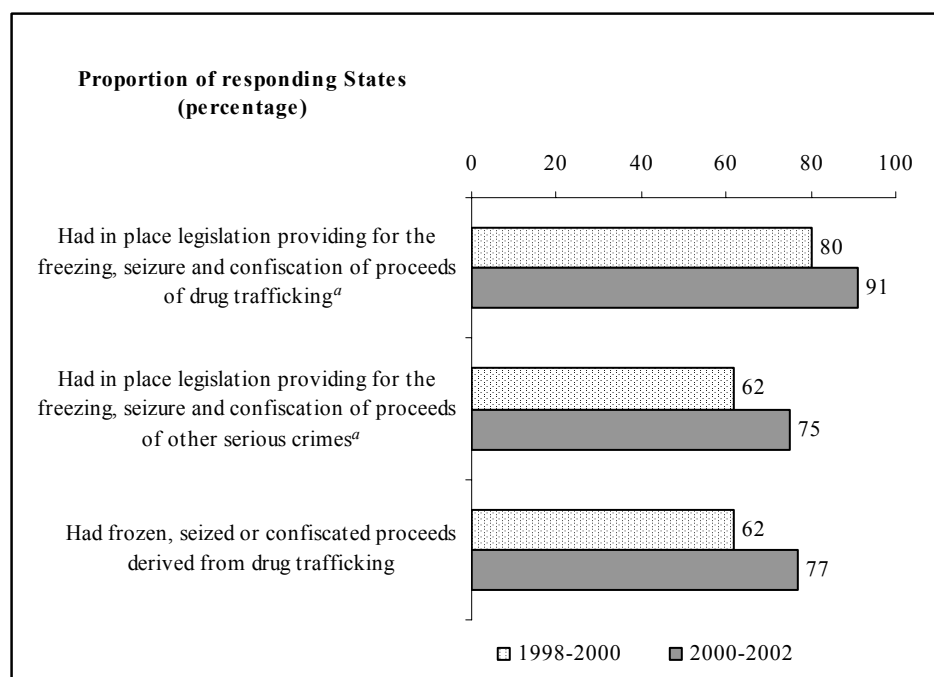
Proportion of responding States that maintained statistical data on investigations, prosecutions and convictions related to money-laundering and on proceeds seized or confiscated as a result of legal action taken to combat money-laundering, 1998-2000 and 2000-2002



35. Progress was also reported in the area of legislative development. An increased percentage of States reported that their legislation provided for the freezing, seizure and confiscation of proceeds derived from drug trafficking offences or other serious crimes. Similarly, a higher percentage of States reported having successfully frozen, seized or confiscated proceeds derived from drug trafficking (see figure V).

Figure V

Proportion of responding States that had in place or implemented legislation providing for the freezing, seizure and confiscation of proceeds derived from drug trafficking or other serious crimes, 1998-2000 and 2000-2002



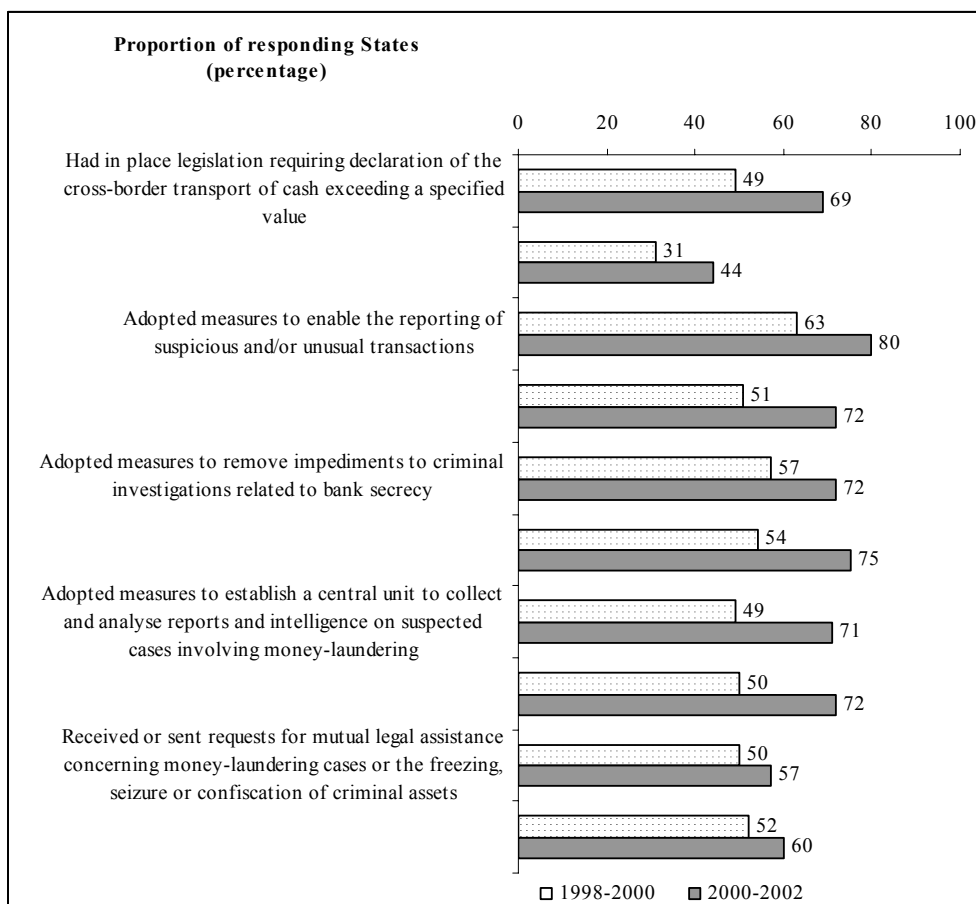
^a In line with the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.

36. An increased percentage of responding States had legislation requiring declaration of the cross-border transport of cash and negotiable bearer instruments when the value exceeded specified amounts. Progress was also made in the adoption of measures to enable the reporting of suspicious and/or unusual transactions, based on the “know-your-client” principle, in removing impediments to criminal investigations related to bank secrecy and in enabling the identification of the beneficiary owners of accounts, corporate bodies and other financial assets (see figure VI).

37. Some of the constraints and difficulties faced by States in introducing and implementing measures to combat money-laundering included the lack or limited availability of expertise and resources to develop and implement such measures. In some jurisdictions, political and economic interests may have militated against and/or delayed the introduction and implementation of such measures. There is a need for increased technical assistance to provide all States with the capacity to combat money-laundering and for enhanced efforts to remove impediments to the exchange of information on investigations related to money-laundering. Providing increased support to the establishment of central financial intelligence units to support effective investigation and prosecution of money-laundering offences will contribute to efforts to reach that objective.

Figure VI

Proportion of responding States that had in place or implemented measures to enable the reporting of suspicious or unusual transactions, 1998-2000 and 2000-2002

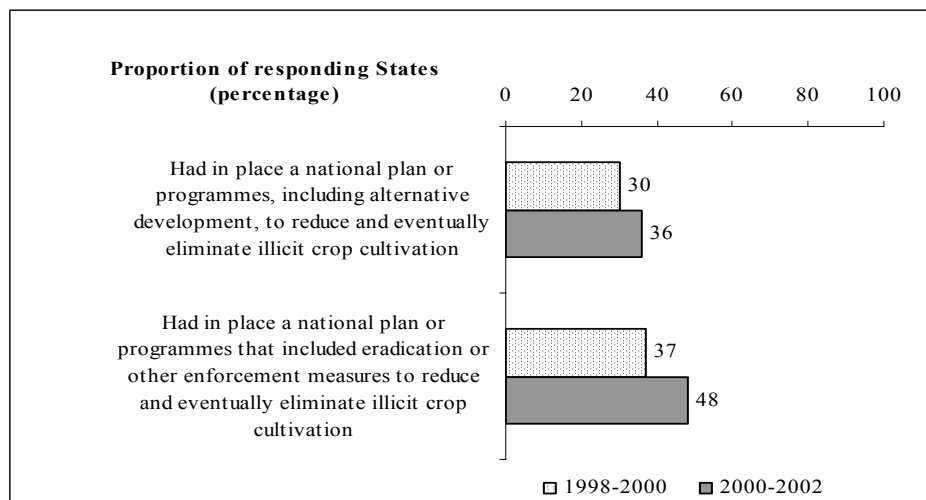


E. Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development

38. Since 1998, when the twentieth special session of the General Assembly was held, States affected by the illicit cultivation of coca bush and opium poppy have adopted national plans or programmes, including alternative development, to reduce and eventually eliminate such cultivation. An analysis of the efforts of States to implement the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development is contained in document E/CN.7/2003/2/Add.2. Figure VII shows the proportion of responding States having a national plan or programmes, including alternative development, and eradication or other enforcement measures to reduce and eventually eliminate illicit crop cultivation.

Figure VII

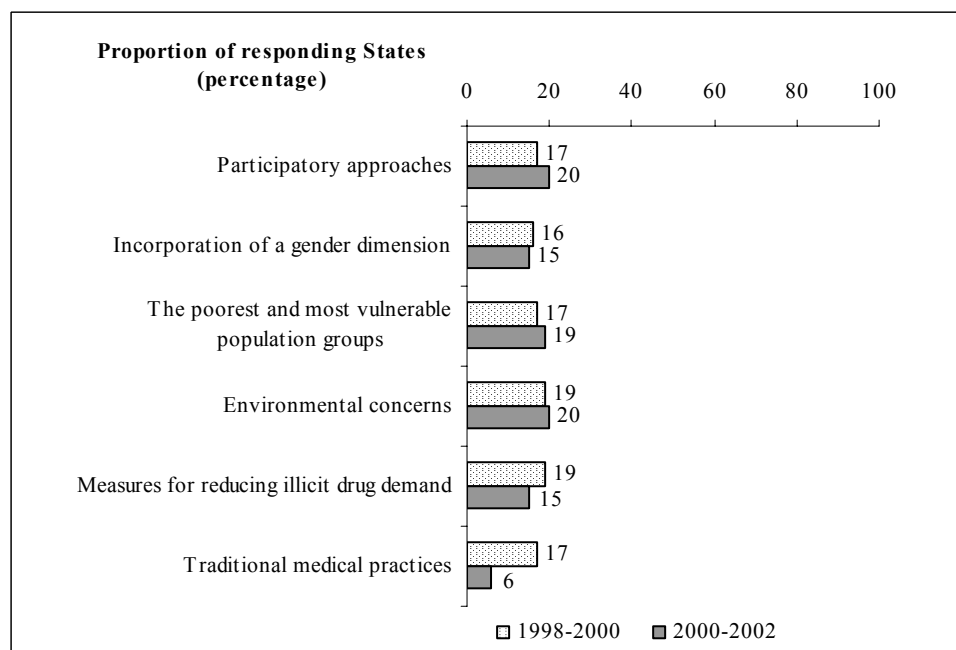
Proportion of responding States with a national plan or programmes, including alternative development, and eradication or other enforcement measures to reduce and eventually eliminate illicit crop cultivation, 1998-2000 and 2000-2002



39. In addition, many States that reported having alternative development programmes also reported that various considerations were taken into account to implement balanced multifaceted programmes. Figure VIII shows some of the aspects taken into consideration in alternative development programmes.

Figure VIII

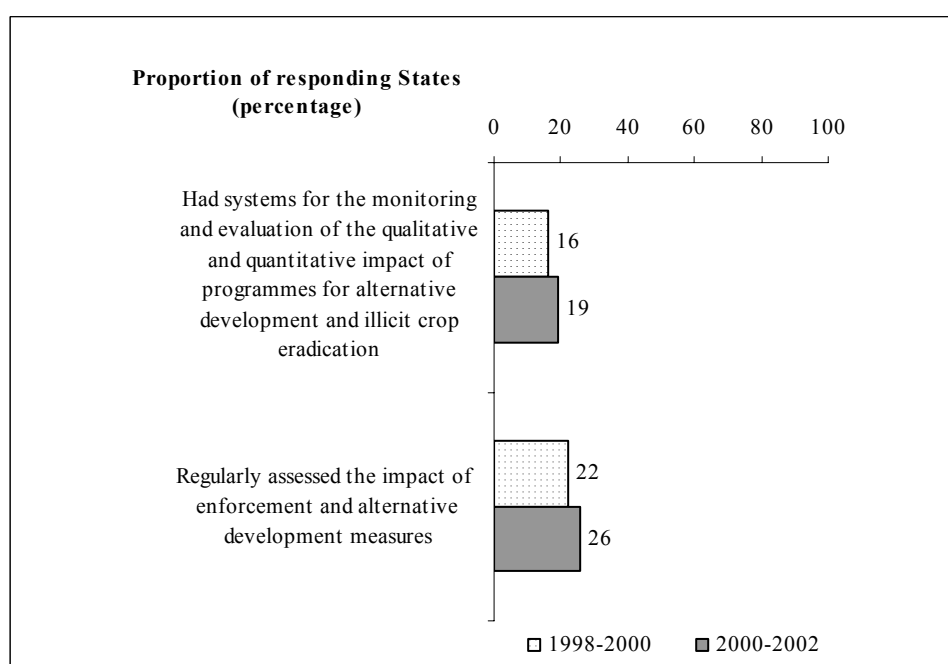
Aspects taken into consideration in alternative development programmes, 1998-2000 and 2000-2002



40. A comparison of the replies to the questionnaires for both reporting periods indicates that progress has been made by States in introducing monitoring and evaluation mechanisms for measuring the qualitative and quantitative impact of programmes for alternative development and illicit crop eradication, as well as for regularly assessing the impact of enforcement and alternative development measures (see figure IX). However, further technical and financial assistance is required for the development and establishment of systems for monitoring and assessing the qualitative and quantitative impact of alternative development programmes and measures to eradicate illicit crops.

Figure IX

Proportion of responding States that had systems for the monitoring and evaluation of programmes for alternative development and illicit crop eradication and that regularly assessed the impact of enforcement and alternative development measures, 1998-2000 and 2000-2002



41. New initiatives taken by several States have contributed to the progress made towards meeting the goals of reduction and eventual elimination of illicit crop cultivation (particularly through alternative development programmes)—goals established at the twentieth special session of the General Assembly. The States concerned with the eradication of illicit coca bush cultivation include Bolivia, Colombia and Peru and the States concerned with illicit opium poppy cultivation include the Lao People's Democratic Republic and Pakistan. Illicit opium poppy cultivation is mostly concentrated in two countries: Afghanistan and Myanmar. The sustained support of the international community is required in order to secure the gains made so far and to move closer towards achieving the goals agreed upon at the twentieth special session. Increasingly, the objective of eliminating or significantly reducing illicit crop cultivation should be included in the programmes and

development assistance frameworks of multilateral and regional development agencies and international financial institutions. Best practices and lessons learned in alternative development should be disseminated and promoted.

42. The eradication or significant reduction of illicit crop cultivation requires long-term commitment. Financial constraints, limited access to markets for crops and other products emanating from alternative development programmes and lack of material and human resources were reported as the main impediments to the sustained implementation of programmes for alternative development and the eradication of illicit crop cultivation.

F. Judicial cooperation

43. The Single Convention on Narcotic Drugs as amended by the 1972 Protocol,⁴ the 1971 Convention, the 1988 Convention and the action plans and measures adopted at the twentieth special session of the General Assembly provide the framework for international cooperation in countering the drug problem. Since the twentieth special session of the General Assembly was held, in 1998, several States have ratified those international drug control treaties, which now enjoy almost universal adherence. An analysis of measures taken by States to promote judicial cooperation is contained in document E/CN.7/2003/2/Add.3.

44. Pursuant to paragraph 16 of the Political Declaration, Member States have taken special initiatives to further cooperation among judicial and law enforcement authorities, with a view to countering drug trafficking. Judicial cooperation has been strengthened and measures have been adopted to promote judicial cooperation, including extradition, mutual legal assistance, transfer of proceedings, controlled delivery, maritime cooperation, measures to enhance the judicial process, such as protection of witnesses and judicial officers, and other forms of cooperation.

1. Extradition

45. Parties to the 1988 Convention have agreed to expedite extradition procedures for criminal offences involving drug trafficking and to simplify evidentiary requirements relating to such offences. Most of the States reported that they had adopted legislation permitting and facilitating extradition in such cases. However, over half (52 per cent) of the responding States indicated that they still had laws that precluded or seriously limited the extradition of nationals. Most States dealt with the issue of extradition through bilateral agreements, and a large proportion of States (58 per cent of respondents) had entered into multilateral agreements to facilitate extradition. Many States reported that they were facing difficulties while negotiating and giving effect to extradition agreements. There were also delays in processing extradition requests. At the regional level, there was significant progress among member States of the European Union in extraditing their nationals to face trial in other member States of the European Union. Several European States had faced difficulties while negotiating or giving effect to extradition treaties, particularly on account of punishments that were inconsistent with the requirements of the Convention for the Protection of Human Rights and Fundamental Freedoms,⁵ such as the imposition of capital punishment by requesting States.

2. Mutual legal assistance

46. A majority of States (70 per cent in both reporting periods) reported that they had adopted legislation permitting and facilitating judicial cooperation with other States in connection with mutual legal assistance. Model forms, guides or manuals on how to make requests for mutual legal assistance had been developed in 30 per cent of the respondents. To facilitate mutual legal assistance, many States had entered into bilateral agreements (70 per cent), multilateral agreements (60 per cent) or other arrangements that simplified procedures for requesting assistance in money-laundering cases. However, differing legal and procedural requirements and an absence of bilateral or multilateral agreements or arrangements often inhibited full cooperation between drug law enforcement agencies in various countries. Further progress should be made to enhance direct cooperation between law enforcement authorities in combating drug trafficking.

3. Transfer of proceedings

47. States had been encouraged to transfer between them criminal prosecution proceedings, where such transfer may be in the interest of the proper administration of justice, in particular if the legal systems are similar and they do not extradite their own nationals. Almost one half of the respondents stated that they had legislation providing for the transfer of proceedings; thus, little had changed since 1998. However, several States had entered into bilateral or multilateral agreements that facilitated the transfer of such proceedings, especially at the regional level.

4. Law enforcement cooperation and exchange of information

48. The exchange of information between law enforcement agencies is essential in countering drug trafficking. However, further progress needs to be made in that regard to ensure that information essential to countering drug trafficking is provided to all competent authorities. To facilitate that process and to enhance direct cooperation between law enforcement authorities, several initiatives, such as the hosting of liaising drug control officers in key countries, have been initiated. On the positive side, many States (71 per cent of the respondents) had shared with other States information concerning criminal investigation techniques to counter not only drug trafficking, but also organized crime and terrorism. Furthermore, most States (79 per cent) had established specialized units for investigating drug trafficking cases. They had also adopted measures to strengthen cooperation with law enforcement agencies of other States.

49. Several States had adopted new drug law enforcement techniques targeting organized criminal networks. A large majority of the responding States (74 per cent) indicated, for example, that their legal systems permitted the use of the law enforcement technique of controlled delivery, which had facilitated the dismantling of criminal networks.

50. Drug trafficking by sea remained a major challenge for States: more than one half of the responding States indicated that their legislation facilitated cooperation in countering such trafficking. Some States (31 per cent of the respondents) reported that they had agreements with other States on the provision of cooperation in countering drug trafficking by sea and that those agreements had led to successful interceptions of vessels carrying illicit drug consignments. One of the difficulties

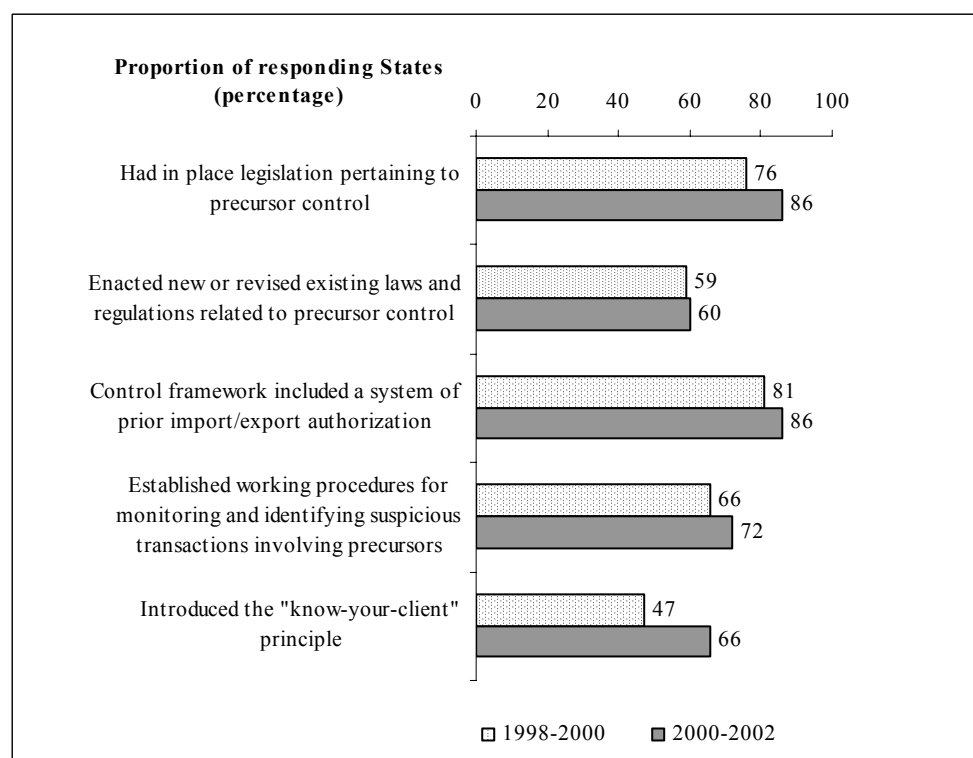
encountered was the changing of flags by ships, which made it difficult to identify the State of registry of a ship.

G. Control of precursors

51. A comparison of the information provided by States replying to the questionnaires for both reporting periods shows a discernable improvement in the control of precursors since 1998, as reflected in the analysis of the efforts by States to implement the measures on precursor control adopted by the General Assembly at its twentieth special session (see the report of the Executive Director on the control of precursors (E/CN.7/2003/2/Add.5)). The percentage of responding States with legislation on precursor control increased. A considerable proportion of the States that sent replies for both reporting periods (60 per cent) indicated that they had enacted new or revised existing legislation and regulations related to precursor control. There was also an increase in the proportion of responding States that had put in place procedures to identify and report on the use of substitute chemicals in, and new methods of, illicit drug manufacture (up 5 per cent), as well as in the proportion of responding States that had adopted a system of prior import/export notification or authorization (see figure X).

Figure X

Proportion of responding States with measures to enhance precursor control, 1998-2000 and 2000-2002



52. There was also a noticeable increase in the proportion of responding States that had established working procedures for the monitoring and identification of suspicious transactions involving precursors (72 per cent in the second reporting period, compared with 66 per cent in the first reporting period) and that had introduced the “know-your-client” principle in relation to licit trade in precursors (see figure X).

53. Further efforts are needed in the implementation of procedures to monitor trade in precursors, including the provision by exporting States of pre-export notification to the competent authorities in importing countries for all transactions involving substances in Table I of the 1988 Convention.

54. Further efforts must be made to launch law enforcement investigations when attempted diversions, as well as diversions, of precursors from licit trade into illicit traffic have been uncovered, in order to identify those responsible and prevent further diversions.

55. Further progress should be made in the development and implementation of codes of conduct with the chemical industry and in establishing or strengthening cooperation with associations, persons or companies engaged in activities concerning precursors.

56. Member States should ensure compliance with their obligations under the 1988 Convention to report to the International Narcotics Control Board and should also ensure full cooperation with the Board. Only 56 per cent of the responding States had implemented the recommendations of the Board concerning the limited international special surveillance list of non-scheduled substances.

57. In its report for 2001,⁶ the Board recommended that, in the context of Internet activities, the unauthorized offering for sale of precursor chemicals should be an offence. It also recommended that the offering of advice on how to obtain precursor chemicals for illicit purposes should be considered inducement or incitement, contrary to article 3 of the 1988 Convention.

58. International cooperation to monitor precursors has increased significantly since 1998. Under the aegis of the Board, efforts have been made through an initiative called Operation Purple to prevent diversions from international trade in potassium permanganate, a major precursor for the manufacture of cocaine. A second initiative, called Operation Topaz, focusing on acetic anhydride, a key chemical used in the illicit manufacture of heroin, provides Governments with a mechanism that can be used to monitor international trade and to initiate backtracking investigations into the seizure of the substance. A new initiative called Project Prism has been launched to address diversion of the main precursor for ATS.

59. The International Narcotics Control Board reports annually to the Commission on Narcotic Drugs on the implementation of article 12 of the 1988 Convention regarding precursors and chemicals frequently used in the illicit manufacture of narcotic drugs and psychotropic substances.

Notes

¹ Replies were received from the following States or areas: Algeria, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominica, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mexico, Monaco, Mozambique, Myanmar, Namibia, Nauru, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Russian Federation, Saudi Arabia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia and Zimbabwe; European Commission and Hong Kong Special Administrative Region of China.

² *Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 25 November-20 December 1988*, vol. I (United Nations publication, Sales No. E.94.XI.5).

³ United Nations, *Treaty Series*, vol. 1019, No. 14956.

⁴ *Ibid.*, vol. 976, No. 14152.

⁵ *Ibid.*, vol. 213, No. 2889.

⁶ *Report of the International Narcotics Control Board for 2001* (United Nations publication, Sales No. E.02.XI.1), para. 41.