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English only

Report of the Thirty-third Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, held in Denpasar, Indonesia, from 6 to 9 October 2009

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I. Matters calling for action by the Commission on Narcotic Drugs or brought to its attention

Recommendations adopted by the Thirty-third Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific

1. The Thirty-third Meeting of Heads of National Drug Law Enforcement Agencies (HONLEA), Asia and the Pacific, made the recommendations set forth below, which were prepared by its working groups. The observations and conclusions of the working groups that led to the recommendations are presented in section IV below.

Issue 1. Illicit drug trafficking: emerging trends across the region

2. The following recommendations were made with regard to the issue entitled “Illicit drug trafficking: emerging trends across the region”:

(a) To support the appropriate action needed to tackle the threat posed by West African syndicates, governments should encourage their law enforcement authorities, in close cooperation with the International Criminal Police Organization (INTERPOL) liaison office in Bangkok, to create a technical working group to act as a repository of expert knowledge on the operations of West African syndicates. This should contribute towards a better understanding of the role and functioning of such syndicates’ criminal behaviour, patterns and techniques, as well as the manner in which joint investigation teams can be established to counteract them;

(b) Governments should ensure that their law enforcement agencies have a prepared set of standard operating procedures to support controlled deliveries, together with details of all the regions’ national points of contact, legal requirements and constraints and any special requirements, which will be compiled into a consolidated handbook for distribution to interested agencies. It was recommended that a group of experts be established to agree upon a standard operating procedure template for the Asia-Pacific countries, which could be presented at the next meeting of HONLEA, Asia and the Pacific. The standard operating procedure introduced by Indonesia at the Meeting and the existing United Nations Office on Drugs and Crime (UNODC) template could be drawn upon in this context;

(c) With the aim of enhancing their efficiency in tackling organized crime, Governments should ensure that their legal framework is in compliance with international standards set by the United Nations Convention against Transnational Organized Crime and the international drug control conventions;

(d) With the assistance of UNODC, capacity-building among member States, particularly countries neighbouring Afghanistan, in the joint area of counter-narcotics and -terrorism would contribute to undoing the nexus between drug trafficking and terrorism.

Issue 2. Measures to counter the manufacture of amphetamine-type stimulants in the region

3. The following recommendations were made with regard to the issue entitled “Measures to counter the manufacture of amphetamine-type stimulants in the region”:

(a) To maintain stringent controls over the licit trade in precursor chemicals, Governments should act to reinforce their national monitoring and control mechanisms with regard to chemicals used in the manufacture of amphetamine-type stimulants;

(b) Governments should support increased regional cooperation among their law enforcement, forensic and chemical control authorities, to ensure a safe and environmentally friendly approach to the disposal of seized chemicals and products of clandestine laboratories. To support this outcome, governments of the region should form a small working group to review the matter and make recommendations on responses to the anticipated increase in clandestine laboratory seizures and on how to deal with the drugs and precursors seized in such situations. The assessment should (a) determine the extent of the problem and (b) explore the most cost-effective options available to countries to address it. The working group may make recommendations based on the United Nations guidelines;

(c) To determine the source, location and trafficking patterns of illicit drugs and increase the effectiveness of their national drug law enforcement response, Governments should support the development of drug signature analysis programmes and encourage the sharing of this research through regional and international collaboration.

Issue 3. Removing the profit from drug trafficking

4. The following recommendations were made with regard to the issue entitled “Removing the profit from drug trafficking”:

(a) In order to enhance their capacity to remove profits from drug trafficking and, more broadly, from organized crime, following international standards in this matter, member States should ensure that necessary laws and regulations are in place to register and monitor legitimate hawala activities;

(b) Through international cooperation, intelligence-gathering and the development of proper tools, member States in the region should enhance their fight against money-laundering through the misuse of alternative remittance systems;

(c) Where they have not already done so, and if constitutional provisions allow for it, governments of the region should take steps to enact non-conviction-based asset forfeiture laws (civil forfeiture) and accordingly to increase their efficiency in confiscating ill-gotten assets originating from drug trafficking and organized crime.

II. Major regional drug trafficking trends and countermeasures

5. At its first and second meetings, on 6 October 2009, the Meeting considered item 3 of its agenda, entitled “Major regional drug trafficking trends and countermeasures”. For the consideration of the item, the Meeting had before it two papers prepared by the secretariat, entitled “Statistics on drug trafficking trends in East, South-East and South Asia, Oceania and worldwide” (UNODC/HONLAP/33/2) and “Regional and subregional cooperation in Asia and the Pacific” (UNODC/HONLAP/33/CRP.1).

6. A representative of UNODC introduced the item and made an audio-visual presentation providing an overview of trends in illicit drug production and trafficking in the region and worldwide. The presentation was based on information provided by governments to UNODC. The representatives of Indonesia, Japan, the Philippines and Thailand made statements and audio-visual presentations.

7. Following the presentation by UNODC on the latest opium trends in Afghanistan and the statements by the Islamic Republic of Iran, Pakistan and the Russian Federation on the overall drug trafficking trends in the region, it was agreed that the drug situation in Afghanistan required constant vigilance, not only with regard to controlling the production, trafficking and consumption of illicit substances but also concerning the capability of revenues generated from such illicit activity to fund corruption and terrorism in the region.

8. Several representatives noted that the manufacture and abuse of amphetamine-type stimulants and methamphetamine were major problems in the region, and large seizures had been reported. The chemical precursors for these drugs were generally available, and manufacturing could be undertaken in kitchen-sized or larger clandestine laboratories. As a result, amphetamine-type stimulants and methamphetamine were widely available at relatively low prices. One representative reported particularly high levels of methamphetamine abuse in his country since 2008, when street prices had decreased. In considering what criteria should be applied to assess the threat of amphetamine-type stimulants, factors such as a deterioration of the rule of law associated with trafficking, as evidenced by increased trafficking and seizures, should be taken into account, as well as associated problems such as the corruption of public officials. Investigations into clandestine laboratories indicated that the offenders were frequently part of drug syndicates that operated regionally and internationally.

9. Ketamine abuse was rising in countries in the region, with the substance being either smuggled into countries illegally or diverted from licit channels. Measures were being taken by a number of member States to respond to the problem of ketamine abuse by such means as listing it as a controlled substance.

10. Law enforcement agencies were cooperating with ministries of health and education in promoting measures to prevent drug abuse, especially among young people. One representative reported that new national legislation distinguished between different classes of drug abusers and provided for a range of penalties appropriate for the age, frequency of abuse and treatment needs of offenders.

11. Several representatives considered that countries in the region would benefit from increased international support in order to ensure that illicit crop cultivation did not return to its earlier levels. Key elements needed in strategies to avoid the re-emergence of illicit poppy cultivation included the provision of sufficient resources for alternative livelihoods and timely interventions. One representative observed that in his country, the vast majority of drug addicts were abusing opiates.

12. Representatives reported that illicit drugs were smuggled by sea, by air and through postal services. Smuggling by air had increased dramatically, as well as through seaports. The benefits of sharing intelligence through drug liaison officers and through close cooperation between law enforcement authorities undertaking joint operations and investigations and controlled deliveries were emphasized. One representative observed that joint investigations with law enforcement agencies from other countries generally went smoothly, and valuable information had been received that assisted in the interdiction of smuggled shipments of illicit drugs. Participants at the meeting called upon law enforcement authorities to strengthen their cooperation in such areas as information-sharing and capacity-building.

III. Implementation of the recommendations adopted by the Thirty-first Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific

13. At its second meeting, on 6 October 2009, the Meeting considered item 4 of its agenda, entitled "Implementation of the recommendations adopted by the Thirty-first Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific". The Meeting had before it a report prepared by the secretariat on the basis of information provided by governments in response to a questionnaire sent to all States members of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific (UNODC/HONLAP/33/3). The report reflected the replies received from Afghanistan, Armenia, Brunei Darussalam, China, India, Indonesia, Kiribati, Malaysia, Mongolia, Myanmar, New Zealand, the Philippines, Samoa, Singapore, Sri Lanka, Tajikistan, Timor-Leste, Turkey, the United States of America and Uzbekistan. Shortly before or during the Meeting, completed questionnaires were received from Japan, the Republic of Korea, the Russian Federation and Thailand.

14. A representative of the secretariat introduced the item. Statements were made by the representatives of Malaysia, the Philippines, the Russian Federation and Thailand.

15. More support was needed from the international community, particularly UNODC, in developing and implementing appropriate legislation to address drug-related crime, such as measures against money-laundering, and in standardizing operating procedures for controlled deliveries. Procedures and approaches for the safe disposal of seized precursor chemicals in an environmentally safe manner also needed to be addressed more thoroughly. In this context, the HONLEA meetings provided an important forum for Member States in which recommendations could be developed to support governments of the region in their review of legislation and procedures. Furthermore, information- and intelligence-sharing were essential elements in strengthening the regional response to the illegal activities of the criminal syndicates.

16. Several representatives expressed the view that more training for law enforcement officers was needed in order to further develop the capacity of law enforcement agencies to counter drug trafficking. In particular, training in the profiling of illicit drugs obtained from clandestine laboratories, including impurity profiling, was important, as well as the provision of state-of-the-art equipment for use in profiling. Training for key law enforcement services, such as police, prosecutors and the judiciary, was vital to foster mutual understanding of the requirements and operational needs of the various services.

IV. Consideration of topics by working groups

17. At its 2nd to 5th meetings, from 6 to 8 October 2009, the Meeting established working groups to examine the three issues under agenda item 5, entitled "Consideration of topics by working groups". The observations made by the working groups and the conclusions reached after consideration of the issues are presented below. The recommendations made by the working groups and adopted at the Meeting are presented in section I above.

Issue 1. Illicit drug trafficking: emerging trends across the region

18. The working group on issue 1 held meetings on 6 and 7 October 2009. In its consideration of the issue, the working group made the following observations:

(a) Criminal activities of West African syndicates have been indentified in many Asian member States. These syndicates tend to use as couriers poor and ill-educated women who are recruited without really understanding what they will be doing. Several countries report that these criminal syndicates have become increasingly active and difficult to investigate (because of their use of coded language) and sometimes use legitimate businesses to cover their criminal actions;

(b) A lack of knowledge concerning national points of contact and legal and technical limitations across the region have been identified as reasons why controlled deliveries related to drug trafficking are not performed more regularly;

(c) Some countries in the region have different and inconsistent legislation to deal with the criminal acts of drug traffickers.

19. The working group drew the following conclusions:

(a) In order to improve their efficiency and be better prepared to dismantle criminal networks, law enforcement agencies in the region should have a better knowledge and understanding of West African syndicates' organization, trafficking techniques and connections;

(b) Law enforcement agencies undertaking controlled deliveries should prepare a regionally acceptable set of standard operating procedures for undertaking these operations, and the procedures should be accompanied by specific information (e.g., on national points of contact and legal requirements) for controlled deliveries. The standard operating procedures introduced by the Government of Indonesia was welcomed as a useful standard template on which controlled deliveries could be developed between countries, with amendments and amplifications to suit the circumstances;

(c) The well-established linkages between drug trafficking and terrorism, as well as corruption, point to the need for a review of strategies for combating narco-terrorism in an integrated and comprehensive manner;

(d) Effective national legislation in harmonization with neighbouring States is a key component of the fight against drug trafficking and, more broadly, organized crime.

Issue 2. Measures to counter the manufacture of amphetamine-type stimulants in the region

20. The working group on issue 2 held meetings on 7 October 2009. In its consideration of the issue, the working group made the following observations:

(a) South-East Asia is badly affected by the trafficking of amphetamine-type stimulants, produced both locally and regionally by using smuggled or diverted pharmaceutical precursors;

(b) In recent years, more sophisticated clandestine laboratories have been discovered, in which larger quantities of pharmaceutical precursors are used, often stored in insecure and dangerous conditions;

(c) Increasing quantities of precursors are circulating in the region and being seized. Thailand has the region's only commercial incinerator to dispose of seized precursor chemicals, while most States have no technical capacity to properly dispose of such chemicals. It was recognized that the United Nations guidelines on safe disposal of chemicals were useful, although they were designed for small quantities of precursors and essential chemicals, not for the large volumes currently being seized. It was also recognized that the open-air destruction of these chemicals posed serious environmental concerns;

(d) Only one member State in the region is currently using amphetamine-type stimulants, heroin and cocaine signature analysis programmes in determining sources of illicit drugs.

21. The working group drew the following conclusions:

(a) Despite efforts made nationally and regionally with regard to pharmaceuticals used as precursors in the production of amphetamine-type stimulants, there are still difficulties in maintaining effective control over these products;

(b) Updated and accurate lists of national points of contact for the trade in precursor chemicals should be available at the regional and the international level;

(c) Given the increase in precursor chemicals discovered regionally, countries are facing difficulties in storing and disposing of them in an environmentally safe way;

(d) The effectiveness of the region's law enforcement would benefit from signature analysis programmes to gather scientific intelligence on the illicit drugs seized;

(e) Further efforts were required to counter the illicit trafficking of amphetamine-type stimulants by sea, in accordance with the United Nations

Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.

Issue 3. Removing the profit from drug trafficking

22. The working group on issue 3 held meetings on 7 and 8 October 2009. In its consideration of the issue, the working group made the following observations:

(a) As in other parts of the world, countries in the region are facing the problem of the laundering of assets gained from organized crime activities, including drug trafficking. Hawala is one of the techniques used in the region to send and receive money to and from all around the world. Hawala is a confidence-based system by which money can be transferred very efficiently and smoothly. Many hawala dealers are legitimate and registered in some countries. However, some are running parallel illegitimate alternative remittance businesses, which, in addition to transferring legitimate funds, are misused by criminals and terrorists to move tainted cash swiftly around the world. Countries in the region are willing to tackle this issue in a coordinated way;

(b) Detection and tracing of ill-gotten assets in the region is an issue requiring attention, and few successful anti-money-laundering investigations have taken place. Few countries in the region have adopted a non-conviction-based system regarding the forfeiture of tainted assets, thereby precluding an important tool among effective drug law enforcement responses.

23. The working group drew the following conclusions:

(a) With regard to the alternative remittance system called hawala, countries in the region are often lacking the necessary legal framework, regulations and structures to control and investigate, when necessary, lawful and unlawful activities;

(b) Non-conviction-based asset forfeiture (civil forfeiture) is a useful tool to ensure that ill-gotten assets are removed from their owner.

V. Organization of the Thirty-fourth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific

24. At its 6th meeting, on 9 October 2009, the Meeting considered item 6 of its agenda, entitled “Organization of the Thirty-fourth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific”. For its consideration of the item, the Meeting had before it a document prepared by the secretariat (UNODC/HONLAP/33/4). During the consideration of the item, statements were made by the representatives of China, Indonesia, Japan, the Philippines, Thailand and Viet Nam.

25. It was proposed that the Meeting should consider several topics for discussion by future working groups, including (a) violence against law enforcement officers in the course of their duties; (b) ethnic alternative banking systems in the region; (c) measures against the cultivation of cannabis with high concentrations of tetrahydrocannabinol in the region; (d) measures against new synthetic drugs in the region that are not controlled under the international drug conventions;

(e) discussion of the global trafficking of ketamine, with particular emphasis on the Asia-Pacific region; (f) concrete measures against West African drug trafficking syndicates; (g) the role of law enforcement in minimizing the adverse health consequences of drug abuse; and (h) raising awareness among the judiciary of law enforcement operations and challenges. The secretariat would consult further with interested Member States concerning the final selection of topics for the working groups.

26. The Meeting requested UNODC to provide a briefing on the situation in Afghanistan at the Thirty-fourth Meeting of HONLEA, Asia and the Pacific, under the relevant agenda item.

27. No offer to host the Thirty-fourth Meeting of HONLEA, Asia and the Pacific, was made at the Thirty-third Meeting. The secretariat would be in contact with the Bureau and interested member States with a view to identifying hosts for the Thirty-fourth and Thirty-fifth Meetings.

28. The Meeting approved the following provisional agenda for the Thirty-fourth Meeting of HONLEA, Asia and the Pacific:

1. Election of officers.
2. Adoption of the agenda.
3. Major regional drug trafficking trends and countermeasures.
4. Implementation of the recommendations adopted by the Thirty-second Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, and relevant recommendations of the Thirty-third Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific.
5. Follow-up to the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, adopted at the high-level segment of the fifty-second session of the Commission on Narcotic Drugs.
6. Consideration of topics by working groups.
7. Organization of the Thirty-fifth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific.
8. Other business.
9. Adoption of the report of the Thirty-fourth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific.

VI. Other business

29. At its 6th meeting, on 9 October 2009, the Meeting considered item 7 of its agenda. During the consideration of the item, statements were made by the representatives of China, Indonesia, Pakistan and the Philippines.

30. One delegation expressed appreciation to the host country and to the secretariat for the organization of the Meeting. In connection with the questionnaire circulated by the secretariat on the functioning of the subsidiary bodies of the

Commission on Narcotic Drugs, the same delegation reiterated the usefulness of the Meetings of HONLEA, Asia and the Pacific, emphasizing the efficacy with which they were conducted. While there was little room for improvement, some suggestions could be considered, such as the holding of more frequent HONLEA Meetings. Furthermore, experts from delegations could meet in smaller working groups before a Meeting to discuss specific cases, tactics and strategies. Interested member States could also participate in working groups on particular topics with a view to presentations to the following HONLEA Meeting. Further training could also be provided; for example, UNODC could organize seminars on the laws of different countries in relevant areas, such as conspiracy laws. Another delegation agreed that smaller working groups or a steering committee comprising of interested delegations could discuss proposals in greater detail, which could be presented to the plenary at the next Meeting of HONLEA, Asia and the Pacific.

31. It was observed that the Thirty-third Meeting of HONLEA, Asia and the Pacific, had been operationally oriented to ensure robust discussions and tangible outcomes. In particular, it was commendable that the Meeting had recommended specific follow-up by expert working groups.

VII. Adoption of the report

32. At its 6th meeting, on 9 October 2009, the Meeting considered item 8 of its agenda and adopted the report of the Thirty-third Meeting of HONLEA, Asia and the Pacific (UNODC/HONLAP/33/L.1 and Add.1-5), including the reports of the working groups and the recommendations contained therein. Statements were made by the representatives of China, Indonesia, Pakistan, the Russian Federation and Thailand. The observer for INTERPOL also made a statement.

VIII. Organization of the Meeting

A. Opening and duration of the Meeting

33. The Thirty-third Meeting of HONLEA, Asia and the Pacific, was held in Denpasar, Indonesia, from 6 to 9 October 2009. The Governor of Bali Province, the Chairman of the National Narcotics Board of Indonesia and the representative of the Executive Director of UNODC addressed the participants at the opening meeting.

B. Attendance

34. The following States members of the Economic and Social Commission for Asia and the Pacific were represented: Australia, Brunei Darussalam, Cambodia, China, India, Indonesia, Iran (Islamic Republic of), Japan, Kiribati, Malaysia, New Zealand, Pakistan, Philippines, Republic of Korea, Russian Federation, Singapore, Solomon Islands, Sri Lanka, Thailand, United States of America and Viet Nam.

35. INTERPOL and the World Customs Organization were represented by observers.

36. UNODC served as the secretariat of the Meeting.

C. Election of officers

37. At its 1st meeting, on 6 October 2009, the Meeting elected the following officers by acclamation:

<i>Chairman:</i>	Gories Mere (Indonesia)
<i>First Vice-Chairman:</i>	Kevin Zuccato (Australia)
<i>Second Vice-Chairman:</i>	Hiroyuki Osawa (Japan)
<i>Rapporteur:</i>	Gautam Prasad Chandolia (India)

D. Adoption of the agenda

38. At its 1st meeting, the Meeting adopted the following agenda:

1. Election of officers.
2. Adoption of the agenda and other organizational matters.
3. Major regional drug trafficking trends and countermeasures.
4. Implementation of the recommendations adopted by the Thirty-first Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific.
5. Consideration of topics by working groups:
 - (a) Illicit drug trafficking: emerging trends across the region;
 - (b) Measures to counter the manufacture of amphetamine-type stimulants in the region;
 - (c) Removing the profit from drug trafficking.
6. Organization of the Thirty-fourth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific.
7. Other business.
8. Adoption of the report of the Thirty-third Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific.

E. Documentation

39. The documents before the Meeting are listed in the annex.

F. Closure of the Meeting

40. A closing statement was made by the Chairman. A closing statement was also made by the representative of the Executive Director of UNODC. He expressed thanks to the Government of Indonesia for hosting the Meeting and for the facilities, the venue in Bali and all the support provided to the Meeting, which had ensured a successful outcome.

Annex

List of documents before the Thirty-third Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific

<i>Document number</i>	<i>Agenda item</i>	<i>Title or description</i>
UNODC/HONLAP/33/1	2	Provisional agenda and annotations
UNODC/HONLAP/33/2	3	Statistics on drug trafficking trends in East, South-East and South Asia, Oceania and worldwide
UNODC/HONLAP/33/3	4	Implementation of the recommendations adopted by the Thirty-first Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific
UNODC/HONLAP/33/4	6	Organization of the Thirty-fourth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific
UNODC/HONLAP/33/L.1 and Add.1-5	8	Draft report
UNODC/HONLAP/33/CRP.1	3	Regional and subregional cooperation in Asia and the Pacific
UNODC/HONLAP/33/CRP.2-CRP.18	3	Country reports