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English only*

Report of the Thirty-fifth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, held in Agra, India, from 22 to 25 November 2011

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* English is the working language of the subsidiary body.

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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-fifth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific

1. The Thirty-fifth 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 V below.

Issue 1. Precursor chemicals: developing industry partnerships and meeting the challenges of substitute chemicals

2. The following recommendations were made with regard to the issue entitled “Precursor chemicals: developing industry partnerships and meeting the challenges of substitute chemicals”:

(a) Governments issuing end-user certificates to clear the sale of controlled precursor chemicals for export should take steps to ensure that the declared consignees are the final destination and not transit or intermediary countries;

(b) Governments should commit their authorities to register, support and participate actively in the Pre-Export Notification Online (PEN Online) system supported by the International Narcotics Control Board (INCB) so as to be able to confirm the legitimacy of commercial parties involved in international transactions of precursor chemicals;

(c) Governments are encouraged to adopt a proactive approach to raising awareness and building the capacity of chemical regulatory authorities and drug law enforcement agencies so as to enhance their knowledge of scheduled and non-scheduled precursors, substances that may be diverted for use in the illicit manufacture of drugs;

(d) National precursor control authorities should be encouraged by their Governments to engage with the chemical industry and to develop voluntary codes of conduct that support the effective implementation of national legislation and regulations and promote good cooperation and corporate responsibility between the public and private sectors concerned with transactions involving precursor chemicals.

Issue 2. The response of Asia and the Pacific to increased heroin production

3. The following recommendations were made with regard to the issue entitled “The response of Asia and the Pacific to increased heroin production”:

(a) To be effective against groups engaged in drug trafficking and other cross-border criminal activities, Governments should review their existing bilateral agreements to ensure that they are still meeting the needs of their law enforcement agencies and judiciary in the investigation, arrest and prosecution of offenders;

(b) Governments should encourage their authorities to increase cooperation in the exchange of information on the sale and movement of precursor chemicals and actively support them in the use of special investigative techniques such as controlled delivery and joint agency operations to target, monitor and track attempts at their illegal diversion;

(c) Governments, together with international financial institutions and the broader development community, should be encouraged to support alternative development programmes for rural communities whose livelihood depends upon the cultivation of illicit crops.

Issue 3. Meeting the challenge of effective border controls

4. The following recommendations were made with regard to the issue entitled “Meeting the challenge of effective border controls”:

(a) Governments should be encouraged to develop an integrated agency response to border management through the adoption of national strategies that build confidence, trust and cooperation between their national law enforcement agencies;

(b) In response to the rapid growth of international trade by sea and in order to maintain the security of their primary ports, Governments should be encouraged to utilize their investment in training, technologies and manpower to establish an inter-agency response to container control at national ports and container terminals by establishing specialist units dedicated to the review, selection and search of suspect containers of interest;

(c) Governments should support the development of closer cooperation, communication and operational networking between the rising number of international airports in the region so as to be better placed to identify traffickers using those international gateways as entry points for drug distribution.

II. Major regional drug trafficking trends and countermeasures

5. At its 1st and 2nd meetings, on 22 November 2011, the Meeting considered item 3 of its agenda, entitled “Major regional drug trafficking trends and countermeasures”. For its consideration of the item, the Meeting had before it a report of the Secretariat on statistical analysis of drug trafficking trends in East, South-East and South Asia, Oceania and worldwide (UNODC/HONLAP/35/2) and a note by the Secretariat on regional and subregional cooperation in Asia and the Pacific (UNODC/HONLAP/35/CRP.1). In addition, country reports were submitted by Armenia, Australia, Brunei Darussalam, China, Hong Kong, China, India, Japan, the Republic of Korea, Macao, China, Malaysia, New Zealand, the Philippines, Singapore, Thailand and Turkey (UNODC/HONLAP/35/CRP.3-17, respectively).

6. A representative of the United Nations Office on Crime and Drugs (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 Australia, India, Japan, the Republic of Korea and the Russian Federation made statements and audio-visual presentations.

7. Several representatives reported on initiatives in their respective countries to counter drug trafficking and abuse, especially by promoting law enforcement cooperation in the region. The measures taken included implementing comprehensive national strategies and institutional frameworks for law enforcement, reviewing and updating relevant legislation and gathering and analysis of information, as well as facilitating close cooperation between national agencies and with international counterparts. Some States provided information on case studies and recent interdiction statistics. It was emphasized that the aspects of supply control and demand reduction were closely related and that adherence to the drug control conventions remained the cornerstone of international cooperation to combat the drug problem.

8. Concern continued to grow in the region at the evidence of increasing manufacture and consumption of amphetamine-type stimulants. New modus operandi for smuggling drugs were mentioned, such as using the elderly or unsuspecting tourists as drug couriers. Case studies also revealed innovative smuggling methods, such as smuggling methamphetamine in the form of water solution concealed in gasoline tanks of cars, and increased numbers of air passenger couriers.

9. The importance of relevant international drug control bodies was emphasized. These included United Nations bodies, notably the Commission on Narcotic Drugs and its subsidiaries, as well as INCB, including its operational initiatives for precursor control, such as the Project PRISM and Cohesion operations. At the regional level, the International Drug Enforcement Conference and the Asia-Pacific Operational Drug Enforcement Conference made important contributions. Other significant intergovernmental organizations included the International Police Office (INTERPOL), the Shanghai Cooperation Organization and the European Cooperation Group to Combat Drug Abuse and Illicit Trafficking in Drugs (the Pampidou Group).

10. The Russian Federation reported on new regional initiatives: the Dushanbe Quartet, a meeting of the Presidents of Afghanistan, Pakistan, the Russian Federation and Tajikistan, and the related Central Asian Anti-Drug Quartet, the meeting of the heads of anti-drug authorities from those countries. The Russian Federation also presented its Rainbow-2 plan for drafting and implementing a programme of Afghan economic development and related measures, including enhanced operational collaboration to reduce the supply of illicit drugs originating from Afghanistan, and eradication of illicit cultivation of opium poppy. The Russia-United States of America Bilateral Presidential Commission's Counternarcotics Working Group was also mentioned. In addition, the Russian Federation informed the Meeting about the development of a conceptual document on an Eastern Hemisphere drug strategy aimed at countering drug trafficking groups in the region of Asia and the Pacific.

11. Japan reported the latest data on high-tetrahydrocannabinol potential cannabis herb available in Japan and the emerging use of new synthetic cannabinoid receptor agonists as alternatives to cannabis abuse, and expressed concern at those trends.

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

12. At its 2nd meeting, on 22 November 2011, the Meeting considered item 4 of its agenda, entitled “Implementation of the recommendations adopted by the Thirty-third Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific”. The Meeting had before it a report of the Secretariat on the basis of information provided by Governments in response to a questionnaire sent to all States members of HONLEA Asia and the Pacific (UNODC/HONLAP/35/3). The report reflected the replies received from Armenia, Australia, China, Hong Kong, China, the Republic of Korea, Macao, China, Myanmar, New Zealand, Pakistan, the Philippines, Singapore and Turkey. Shortly before or during the Meeting, completed questionnaires were also received from India, Japan, Mongolia and Thailand.

13. A representative of the Secretariat introduced the item. A statement was made by the representative of Singapore.

14. The Chair observed that a higher response rate from Member States to the questionnaire would have allowed a more comprehensive review to be made of the implementation of the recommendations of the Thirty-third Meeting of HONLEA, Asia and the Pacific. He suggested that those countries which had not yet done so should submit their questionnaires.

IV. 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

15. At its 2nd meeting, on 22 November 2011, the Meeting considered item 5 of its agenda, entitled “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”. For its consideration of the item, the Meeting had before it the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem (A/64/92-E/2009/98, sect. II.A). The secretary of the Meeting introduced the item. Statements were made by the representatives of Indonesia, Japan, Myanmar and Thailand.

16. The representative of Thailand informed the Meeting about the International Workshop on Alternative Development, organized by Thailand in association with Peru, in accordance with Commission on Narcotic Drugs resolutions 53/6 and 54/4, in Chiang Rai and Chiang Mai, Thailand from 6 to 11 November 2011. Participants at the Workshop agreed on inputs for draft international guiding principles on alternative development to be further considered at the international conference on alternative development to be convened in accordance with resolution 54/4.

17. Participants discussed the effectiveness of alternative development policies and programmes in the Golden Triangle area. The importance of long-term commitment to alternative development goals was emphasized, combined with law enforcement efforts to reduce supply. The representative of Indonesia emphasized the importance of the concept of community development in that context. Peru and

Thailand, in cooperation with UNODC, were working to exchange experience in the area of alternative development with interested Member States.

V. Consideration of topics by working groups

18. At its 3rd to 5th meetings, on 23 and 24 November 2011, the Meeting established working groups to examine the three issues under agenda item 6, 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 by the Meeting are presented in section I above.

Issue 1. Precursor chemicals: developing industry partnerships and meeting the challenges of substitute chemicals

19. The working group on the above topic met during the 3rd and 4th meetings, on 23 November 2011. In its consideration of the issue, the working group formulated the following observations:

(a) There was a need to raise the awareness of and to educate staff of customs services to alert them to the danger of the misdescription of precursor chemicals and to encourage the sharing between authorities of information about the modus operandi of diversion detected;

(b) A good working relationship with the national chemical industry greatly enhanced regulatory authorities' access to important information relating to unusual sales and transactions;

(c) There was evidence that traffickers were attempting to circumvent end-user certificates for controlled chemicals by routing consignments through transit or intermediate countries;

(d) The chemical control authorities in exporting countries needed to consider whether the country of import had a legitimate market and capacity for the end products and/or raw chemical materials being ordered;

(e) It had been observed that suspicious orders for precursor chemicals were often broken into smaller consignments for export, split up and then rerouted through other countries to their end destination so as to ensure that effective control and monitoring of the shipments were lost;

(f) The PEN Online system supported by INCB had proved to be a very effective mechanism for confirming the legitimacy of commercial parties involved in international transactions of precursor chemicals.

20. The working group drew the following conclusions:

(a) There was a need to engage with and sensitize freight forwarders, airline carriers and shipping companies to the importance of effective controls over precursor chemicals and the importance of proper clearance documentation before rerouting of consignments was undertaken;

(b) In order to reduce attempts at diversion of precursor chemicals, it was important that the integrity and business practices of chemical industry brokers and agents were properly vetted and their transactions monitored;

(c) Voluntary codes of conduct established with the chemical industry promoted responsible commercial practices and sale of chemicals, and supported the prevention of diversion of chemicals into illicit drug manufacturing channels;

(d) There was a need to incorporate reporting through the INCB PEN Online system by re-exporting countries so as to ensure the legitimate end-use of the precursor chemicals and to identify weaknesses in the international control and monitoring systems.

Issue 2. The response of Asia and the Pacific to increased heroin production

21. The working group on the above topic met during the 4th meeting, on 23 November 2011. In its consideration of the topic in question, the working group formulated the following observations:

(a) Surveys undertaken by China, Myanmar and UNODC, showed that cultivation of opium poppy in Myanmar had been increasing over the past three years;

(b) To be effective and sustainable, alternative development programmes to illicit cultivation of opium poppy in Myanmar would require ongoing international cooperation and financial support. Development-oriented drug control strategies should be incorporated into broader drug control strategies;

(c) Illicit manufacture of heroin and methamphetamine was occurring in remote, inaccessible regions of Myanmar and well organized, transnational criminal groups were trafficking those drugs out of the region for sale;

(d) The authorities of China, the Lao People's Democratic Republic, Myanmar and Thailand were working together in joint operations to target drug trafficking across their shared borders;

(e) Restricting or removing the availability of precursor chemicals such as acetic anhydride and hydrochloric acid, essential requirements for the production of heroin, would reduce the manufacturing capacity of clandestine laboratories and have a direct impact on their ongoing viability.

22. The working group drew the following conclusions:

(a) To disrupt and prosecute the organizers, principals and individuals who trafficked heroin and methamphetamine from Myanmar would require cooperation with and mutual legal assistance from neighbouring States and the wider international community;

(b) Viable and sustainable alternative incomes for farmers must be found that encouraged them away from the higher returns derived from cultivation of opium poppy and towards investing in other commercial crops and forms of livelihood;

(c) A coordinated strategy between authorities in Myanmar and its neighbouring States that supported close cooperation in targeting diverted precursor

chemicals through their border areas could bring operational results that would reduce the illegal manufacture of heroin in the region.

Issue 3. Meeting the challenge of effective border controls

23. The working group on the above topic met during the 5th meeting, on 24 November 2011. In its consideration of the topic in question, the working group formulated the following observations:

(a) Law enforcement agencies working at international borders across the region needed operational strategies that supported close inter-agency cooperation and the sharing of information and encouraged joint operations so as to make full use of the legislative powers, human resources and technical support available to them through cooperation. The New Zealand Customs' Integrated Targeting and Operations Centre offered an example of how lead agencies could interact together for greater effectiveness against trafficking;

(b) The maritime international trade supply chain grew larger in volume annually, challenging the ability of a single border agency to manage alone and to achieve effective border protection at a country's primary entry and exit points;

(c) An integrated drug law enforcement response that included coordination with the military and security services was essential if States of the region with extensive land and sea borders were to maintain their effective control;

(d) The UNODC Container Control Programme supported participating States in enhancing their existing control measures at container ports by offering access to specialist training and software for use with modern techniques of risk assessment, targeting and profiling, strategies to develop trusted partnerships with private sector operators at ports, and access to secure communications enabling participating authorities to exchange information about containers, companies and vessels of interest.

24. The working group drew the following conclusions:

(a) Governments wanted their border law enforcement agencies to be effective in their role of protecting international borders against the threat of drug trafficking and cross-border organized crime. Responding to those threats required a coordinated multi-agency response;

(b) Trafficking by sea in commercial sea containers posed a significant challenge to law enforcement authorities concerned with combating drug trafficking and intercepting diverted precursor chemicals;

(c) Joint training of officers drawn from different border agencies (police, customs, immigration, border service and so on) with similar roles in enforcement would lead to better understanding and closer integration;

(d) Adopting an inter-agency task force approach to managing the import, export and trans-shipment of containers encouraged closer agency cooperation, focused additional professional resources on border management and enhanced the reach and effectiveness of national legislation to combat drug trafficking and transnational crime;

(e) The airport interdiction task force strategy being developed by the Association of Southeast Asian Nations (ASEAN) to establish a connected regional network of specialist airport law enforcement units, specifically trained and tasked to profile and identify air passengers and freight was an initiative deserving of support.

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

25 At its 6th meeting, on 25 November 2011, the Meeting considered item 7 of its agenda, entitled “Organization of the Thirty-sixth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific”. For its consideration of the item, the Meeting had before it notes by the Secretariat on the organization of the Thirty-sixth Meeting (UNODC/HONLAP/35/4) and on the standard letter of agreement and conference requirements for hosting a meeting of HONLEA, Asia and the Pacific (UNODC/HONLAP/35/CRP.2). During the consideration of the item, statements were made by the representatives of Australia, Hong Kong, China, India, Malaysia, Myanmar and New Zealand. A statement was made by the observer for Germany.

26 It was proposed that the Meeting should consider the following topics for discussion by future working groups:

(a) Precursor chemicals, including smuggling routes and trafficking groups involved in the diversion of precursors and their modus operandi;

(b) Production of amphetamine-type stimulants, in particular identifying and dismantling “mega-labs”, the challenge of illicit manufacturing in kitchen laboratories, effective control of Internet pharmacies and the emergence of new designer drugs that are not under international control;

(c) Undertaking cross-border investigations: the challenges of multi-jurisdictional investigations, case studies of significant operations and lessons learned;

(d) Ketamine trafficking and abuse in the region;

(e) Report by the New Zealand Customs on its Integrated Targeting and Operations Centre initiative.

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

28. The Thirty-fifth Meeting approved the following provisional agenda for the Thirty-sixth 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-fourth 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.
6. Consideration of topics by working groups.
7. Organization of the Thirty-seventh Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific.
8. Adoption of the report of the Thirty-sixth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific.

VII. Adoption of the report

29. At its 6th meeting, on 25 November 2011, the Meeting considered item 9 of its agenda and adopted the report of the Thirty-fifth Meeting of HONLEA, Asia and the Pacific (UNODC/HONLAP/35/L.1 and Add.1-6), including the reports of the working groups and the recommendations contained therein. Statements were made by the representatives of Japan and Myanmar.

VIII. Organization of the Meeting

A. Opening and duration of the Meeting

30. The Thirty-fifth Meeting of HONLEA, Asia and the Pacific, was held in Agra, India, from 22 to 25 November 2011. The Narcotics Commissioner of India, the Secretary of Finance and Revenue of India and the representative of the Executive Director of UNODC addressed participants at the opening meeting.

B. Attendance

31. The following States members of the Economic and Social Commission for Asia and the Pacific (ESCAP) were represented: Australia, Brunei Darussalam, China, India, Indonesia, Republic of Korea, Japan, Lao People's Democratic Republic, Malaysia, Myanmar, New Zealand, Russian Federation, Singapore, Thailand and Turkey.

32. Hong Kong, China, was represented as an Associate Member of ESCAP.

33. Germany was represented by an observer.

34. ASEAN was represented by an observer.

35. UNODC served as the secretariat of the Meeting.

C. Election of officers

36. At its 1st meeting, on 22 November 2011, the Meeting elected the following officers by acclamation:

<i>Chair:</i>	O.P.S. Malik (India)
<i>First Vice-Chair:</i>	Hyuk Ryu (Republic of Korea)
<i>Second Vice-Chair:</i>	Zaw Lin Tun (Myanmar)
<i>Rapporteur:</i>	Gerard Anthony (Singapore)

D. Adoption of the agenda

37. At its 1st meeting, on 22 November 2011, the Thirty-fifth Meeting of HONLEA, Asia and the Pacific, adopted the following agenda:

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-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.
6. Consideration of topics by working groups:
 - (a) Precursor chemicals: developing industry partnerships and meeting the challenge of substitute chemicals;
 - (b) The response of Asia and the Pacific to increased heroin production;
 - (c) Meeting the challenges of effective border controls.
7. Organization of the Thirty-sixth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific.
8. Other business.
9. Adoption of the report of the Thirty-fifth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific.

E. Documentation

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

F. Closure of the Meeting

39. A closing statement was made by the Chair of the Meeting. Closing statements were also made by the Narcotics Commissioner of India and a representative of the Secretariat. Statements were made by the representatives of Australia, Indonesia, Myanmar and New Zealand.

Annex

List of documents before the Thirty-fifth 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/35/1	2	Provisional agenda and annotations
UNODC/HONLAP/35/2	3	Report of the Secretariat on statistical analysis of drug trafficking trends in East, South-East and South Asia, Oceania and worldwide
UNODC/HONLAP/35/3	4	Report of the Secretariat on implementation of the recommendations adopted by the Thirty-third Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific
UNODC/HONLAP/35/4	7	Note by the Secretariat on the organization of the Thirty-sixth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific
UNODC/HONLAP/35/L.1 and Add.1-6	9	Draft report
UNODC/HONLAP/35/CRP.1	3	Note by the Secretariat on regional and subregional cooperation in Asia and the Pacific
UNODC/HONLAP/35/CRP.2	7	Note by the Secretariat on the standard letter of agreement and conference requirements for hosting a meeting of HONLEA, Asia and the Pacific
UNODC/HONLAP/35/CRP.3-17	3	Country reports