

Ghana

STATEMENT BY GHANA'S DELEGATION LED BY HON. CLETUS AVOKA(MP) AND MINISTER OF INTERIOR TO THE 52ND SESSION OF THE COMMISSION ON NARCOTIC DRUG; HELD IN VIENNA ,AUSTRIA ON 11TH AND 12TH MARCH 2009.

Thank you Madam Chairperson for the opportunity granted me.

Madam Chairperson may I express my gratitude to the Government and people of Austria and Vienna for the warm welcome and reception accorded the Ghana delegation. Let me also, on behalf of the Government of Ghana and on my own behalf, express our sincere gratitude to UNODC and our development partners for their unflinching support to Ghana in the fight against illicit drug trafficking and abuse that has become a canker in our society. Indeed, our recent successes chalked in curbing the menace can be attributed to the cooperation of the international community and we appreciate that. As a result of this cooperation, drug traffickers are increasingly finding Ghana unsuitable for their illegal activities.

Global Drug Problem

The Global illicit drugs problem is a long and complicated one. Illicit drugs (broadly classified as Stimulants, Depressants, Hallucinogens and Amphetamines) are clandestinely produced, trafficked and abused across the globe. Apart from the direct effects of these drugs on the central nervous system of users, the vicious cycle of crimes triggered off by the illegal drugs phenomenon is insurmountable. According to the 2008 World Drug Report of the United Nations Office on Drugs and Crime (UNODC), a greater proportion of drug users in the world population are between the ages of 15 to 64. It is also estimated that approximately 208 million or 4.9% of the world's population aged 15 to 64 have used drugs at least once in the last 12 months.

The menace of drug trafficking has caught many nations in the cross-fire that is jeopardizing security and development. The canker is fuelling instability in most parts of the world.

Thus, the issue of drug addiction and drug trafficking globally is becoming more complicated. Social, political, medical, and legal forces all play parts in its creation and resolution.

INTERNATIONAL CO-OPERATION

International co-operation is understood to mean the systematic collaborative efforts of two or more sovereign nations to achieve a common goal. In its ideal form, it means a mutually beneficial relation between sovereign nations where they offer each other reciprocal assistance in order to achieve a common aim. For our purpose, this co-operation is targeted at tackling the hydra-headed illicit drug menace. International co-operation is fundamental in the global combat of illicit drugs. This is not only because drug traffickers operate across borders but also because in combating crime, no nation can claim to be self-sufficient. We as developing countries can only make a head way if with international support; we receive information and apprehend the barons through controlled delivery.

The sure way out of this sticky situation is for national law enforcement agencies to co-operate at the international levels so that criminals can be pursued across borders both physically and through the exchange of vital information.

Existing International Co-operation: the Ghanaian situation.

On the International front, Ghana is a signatory to the four United Nations Conventions and Protocols on drugs. That is;

- I. The 1961 Single Convention on Narcotic Drugs
- II. The 1971 Convention on Psychotropic Substances
- III. The 1972 Protocol Amending The 1961 Single Convention
- IV. The 1988 Convention Against Illicit Traffic of Narcotic Drugs And Psychotropic Substances

The Ghana Narcotics Control Board, therefore, has international obligations under these conventions, the infringement of which would result in sanctions.

Ghana in its bid to fight illicit drug trafficking enacted a parent law; The Narcotics Drugs Enforcement and Sanctions Law, PNDCL 236 in 1990 which comprehensively gives legal backing to most actions necessary to control illicit drug traffic, cultivation and use. PART VI. of the law is captioned "ASSISTANCE TO FOREIGN COUNTRIES" and mandates the relevant drug law enforcement authorities to co-operate at the international level.

Pursuant to its international co-operation efforts, Ghana has benefitted and continues to benefit from many nations in different forms of support to fight illicit drugs in a multi-sectoral approach.

UNITED KINGDOM: Operation Westbridge

Shipped

As part of the United Kingdom Government's quest to collaborate with Ghana in the combat of drug trafficking, "Operation Westbridge" was established in partnership with the Narcotics Control Board. This collaboration started in November 2006. Officers from Her Majesty's Revenue and Customs partner their Narcotics Control Board counterparts to undertake Airport interdictions in Accra. The team also helped to equip their Ghanaian counterparts through training and other practical skills on drug interdictions.

UNITED NATIONS OFFICE ON DRUG AND CRIME :Global Container Control Programme

The Global Container Control Programme is an initiative of the United Nations Office on Drugs and Crime (UNODC) in close collaboration with World Customs Organization. In Ghana, the Narcotics Control Board as the lead agency is working in close collaboration with the Ghana Police Service, Bureau of National Investigations, Customs, Excise and Preventive Service, and the Ghana Ports and Harbours Authority to ensure a smooth implementation of the programme. The Programme is now fully operational with an Office at the Tema Harbour. It has already started yielding results as several stolen vehicles from Europe have been seized.

UNITED STATES OF AMERICA

The United States of America has had a long existing relation^{Ship} with Ghana in the combat of illicit drug trafficking. The Drug Enforcement Administration (DEA) has from the inception of this relationship conducted training courses in "anti-narcotics"

for our drug law enforcement agents. Through this relation, ^{ship} two **Trace Itemisers** for drug identification were donated for use in our Airport interdictions.

Other equipment supplied earlier included a polygraph machine, vehicle mounted surveillance equipment and hand held radios.

Arrangements are far advanced for the installation of an X-ray machine to examine passengers suspected to have ingested narcotic drugs at our International Airport in Accra.

GERMANY

Germany through its Embassy in Ghana has supported NACOB with logistics as follows;

- i. Heavy Duty Generating Plant
- ii. Ten sets of desktop computers used to set up a Computer Laboratory
- iii. Fax machines and
- iv. Several training programmes have been conducted for NACOB Officials among these were:
 - a. course on "Suppression of drug Related Crime" which experts from the German Federal Criminal Investigations Department (Bundeskriminalamt) (i.e BKA) came to deliver in Ghana.
 - A standing arrangement for an annual six-month training programme in Drug Law Enforcement which permits one official of NACOB to travel to Germany on attachment to the BKA.
 - A week training course in Ghana on "principles and methods of operational evaluation and analysis" by experts from the Bundeskriminalamt (BKA).
 - There is also a reciprocal exchange of intelligence between the two countries

skipped

FRANCE

Through its Embassy in Accra, France has donated a very large consignment of Urine Test Kits for the detection of traces of narcotic drugs. These are heavily relied on by the Board's operatives at the Kotoka International Airport. There also exists a good working relationship between the two nations in information exchange.

Mr. Chairman, time will not allow me to talk about all the cooperation and assistance we are receiving from Canada, The European Community, Egypt and many others in this fight. We are grateful to all and hope the cooperation is going to continue.



Egypt, CANADA, do mention a few -

ENSURING SHARED RESPONSIBILITIES AND INTERNATIONAL COOPERATION - OBSERVATION/ CONCERNS

In all the above forms of international co-operation, the level and extent of shared responsibilities cannot be classified as reciprocal. To say the least, the sharing of responsibilities seems to be lop-sided. Majority of our international partners are developed countries whilst ours is a developing one. The donations and other forms of assistance are therefore "one-way traffic".

Equipment - When expensive equipment is donated to less endowed nations, these nations are expected to shoulder the operational and maintenance costs. However, the donors eventually take up these costs as the recipients are often unable to get experts or funds to cover the costs of maintenance. We are often therefore in a parasitic instead of symbiotic relations. In such relations there can be no significant shared responsibilities.

In view of this, donors should consider the ability of recipients' to maintain equipment before donations are made. In cases where local substitutes are available, donors can fund the procurement of these. Also, local experts could be trained to maintain or repair the equipment as part of the donation package. There is also the need to consider how user friendly the equipment is since most complex equipment are easily destroyed at a slightest misuse.

Information Exchange - It is mainly in the field of information exchange that responsibilities can be said to be reciprocal to some extent. But here again, there are

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hindrances. Most developing countries lack accessible data bases. Information on a particular incident, person or corporate body will therefore have to be gathered individually and manually. This takes a considerable period of time. In many cases, it is not even possible to identify the target much more to gather the required information. The outcomes of these are responses of negative results.

↑ International collaborators should consider the resource bases of their partners when requesting for information exchange. There is also the need to standardise the formats of most request so as to facilitate speedy responses. Some expensive pieces of information though valuable in the source countries are of little value in the recipient nations. Unless the ability to use particular types of information is ascertained, valuable resources will be wasted to acquire them yet they cannot be used. A case in point is where the process used in obtaining the information is not permissible by law in the recipient nation.

Conventions & Treaties - In the field of the implementation of the various Conventions and treaties, responsibilities are expected to be shared among co-operating nations. Individual national legislations or the absence of relevant legislation, place obstacles in the field of International co-operation. Most nations legislate to protect specific interests and are therefore unwilling to make concessions that will not favour these specific interests. For instance, whilst the issue of cannabis is treated with all the seriousness of drug crime in many African Countries, some countries in Europe are legalising its use.

When nations ratify Conventions and treaties, these should serve as basic international laws for their implementation in member nations. There should be no need for additional local legislation before the implementation of crucial portions. Treaties and Conventions should therefore be scrutinise by national legislative bodies and approved so that when they are ratified, they are considered as laws.

Cross Border Investigations - In the field of cross-border investigations, there are variations in criminal procedure among many nations. These variations serve as impediments since they cannot be quickly amended to allow quick action in pursuit of the perpetrators of drug crimes when these criminals cross international borders.

Unfortunately, most of these impediments are often realised at the operational levels. The dynamic nature of drug crime creates peculiar situations with unique problems.

Controlled deliveries are one of the most effective ways of trapping the real owners of drug consignments but it also has its limitations when it crosses national borders. Apart from legislative bottle-necks, information exchange among relevant agencies in recipient countries could serve as obstacles. Shared responsibilities may not be executable in these instances.

Training - In international co-operation, most nations receive various forms of foreign training to improve the capacities of their agents in combating the drug menace. The training programmes may benefit specific individuals or may be "train the trainer". Which ever form it takes, there will be problems of shared responsibilities and sustainability. The problems usually begin with application of what has been learnt. Environmental settings, resources, and local legislation tend to negatively affect the application of the skills or knowledge acquired. A suggested way out is to concentrate on train the trainer programmes using local settings by conducting the courses in the localities in which they will eventually be implemented.

In some situations, experts from neighbouring nations are better placed to train colleague officers in adjacent countries. However, due to financial and logistical constraints, such forms of mutual assistance are not possible. It will be prudent if sponsors could explore the possibilities of using experts from neighbouring countries that are well versed with the regional constraints. Such experts could then be engaged in sponsored training programmes within their region. It will help reduce the importation of training programmes that come with foreign tactics which are inapplicable in certain cultural, regional and economic settings.

CONCLUSION

Amendment of the Narcotics Law and other Strategies

The Government of Ghana is now proposing an amendment to the Narcotic Law, PNDC Law 236 of 1990 to reflect the Global trends in the drug situation. Among the major changes that we expect the amendment to address is the elevation of the status of Ghana Narcotics Control Board into an independent commission. This, we

believe, will allow the organization to operate independently and have a better working relationship with the international community. The necessary budgetary allocation is also expected to be given the commission to operate effectively.

The Government is supporting the organization in its efforts to decentralize its activities with the necessary logistics to enable them be up to the task. We believe that the underlying problem to all criminal activities, namely: money laundering, organized crime, armed robbery, terrorism, corruption and HIV/AIDS is the drug abuse and trafficking. The Government of Ghana will therefore not relent in her effort to give the needed backing to stamp it out of our society as we continue to enjoy the support of the international community.

We have the political will and commitment to carry this crusade through. We need the support and International cooperation of all.

Madam Chairperson, thank you again for the opportunity.

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