

INDIA

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P. V. Bhide
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High Level Segment
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**Statement by India (Shri P.V. Bhide, Revenue Secretary,
Government of India)**

Thank you Mme Chairperson (Deputy Prime Minister Libertina Amathila),

1. Every decade or so the international community has made major advance in its efforts for drug control. The Convention on Narcotic Drugs was signed in 1961 and a decade later the Convention on Psychotropic Substances was signed. After another seventeen years, the UN Convention Against Illicit Traffic in NARCOTIC Drugs and Psychotropic Substances, 1988. A decade after this Convention, the UN General Assembly met in a Special Session (UNGASS) in June 1998 and agreed on an Action Plan to tackle the drug problem. Eleven years after the UNGASS, we meet here in Vienna to take the next step in the field of international drug control. I am confident that the message we send from this gathering will maintain the pace of progress of the preceding decades and set a bold agenda for the next decade and beyond.
2. It is heartening that while marching forward, the international community never went back on the commitments already made. It is important that we continue to adhere to the commitments made in the three UN Conventions and in UNGASS 1998, while charting our course of action for the future.
3. Mme Chairperson, destruction of illicit narcotic drug yielding crops and providing alternative means of livelihood to the farmers adversely affected by such destruction was the first of the goals of UNGASS 1998. India believes that this is the appropriate way and we should continue to

follow this path and not detract from it. Weaning farmers away from illicit crops is a long and arduous process but not an impossible one. Thailand, Laos and Myanmar have demonstrated that with patience and dedication, farmers can be persuaded to switch to alternative legal crops and livelihood.

4. We believe that this approach could be tried in Afghanistan too, which has to be the focus of the problem in the foreseeable future. The potential of the alternative development approach, that has been so successful elsewhere, remains to be tapped here. There is no reason to lose heart and look for desperate solutions.
5. In its report for the year 2005, INCB expressed its concern regarding the advocacy by a Non-Governmental Organisation of legalization of opium poppy cultivation in Afghanistan. The INCB, in fact, remarked that a ban on opium poppy cultivation in Afghanistan was the most suitable measure to eliminate the drug problem in the country. It had observed that the idea that legalizing opium poppy cultivation would somehow enable the Government to gain control over the drug trade and exclude the involvement of criminal organisations was simplistic and did not take into account the complex situation in the country. We believe that this is an eminently sensible appraisal.
6. Of course, we are not opposed to outright destruction of illicit crops either, where that is the preferred approach of the Government concerned, as is the case, we understand, in Afghanistan which has undertaken a number of destruction missions resulting in reduction in the area under poppy cultivation. We, in India, destroy illicit cultivation, wherever, noticed.

7. Amphetamine Type Stimulants (ATS) continue to be a major challenge for drug control. Their abuse has increased in many parts of the world during the last decade. Fortunately, abuse of ATS has not reached a large scale in India. This may be because we have an adequate legal framework in place to prevent misuse of these compounds through diversion from legitimate channels.
8. Related to the abuse of ATS is the trafficking of ATS precursors, such as, ephedrine and pseudo-ephedrine. I am glad to be able to inform this august assembly that India has always taken an active part in international efforts for regulating precursors and is currently a member of the Steering committee of Project Prism, which deals with the problem.
9. Looking at the above problem on a macro scale one cannot help but note that significant gaps remain in the international precursor control regime. There are countries and regions where there are no precursor control laws worth the name. When someone from these countries places an order for a precursor and a pre-export notification is issued to that country, there is no mechanism to verify the legitimacy of the import order or its end use. If the precursor is diverted after its import into such a country, and then smuggled to a third country and used to manufacture ATS, there is no check. Therefore spreading the net of agreed precursor controls far and wide in such countries will be far more efficacious than burdening countries which already have an effective regulatory framework with additional controls, or reporting mechanisms. We would, therefore, urge that the CND work to expand precursor control regulation to cover all countries, as a shared responsibility. The CND should render all possible help in framing regulations and establishing working mechanisms to those

countries that need such assistance. Consideration could perhaps be given to evolving a PIN mechanism similar to the PEN already in force.

10. As far as other precursors are concerned, we share the concern that the source of supply of acetic anhydride to illicit heroin manufacturers in Afghanistan continues to be unknown. We would urge the UNODC to identify the sources of supply of acetic anhydride to Afghanistan, as it is obviously the key to curbing the export of heroin.

11. Drug trafficking is, more often than not, a trans-national crime and hence wider judicial cooperation is necessary. Drug money is perhaps one of the main sources of funds for terrorists. Thus, it is important that the use of drug money be curbed. In India, the Narcotic Drugs and Psychotropic Substances Act provides for seizure and forfeiture of the assets of drug offenders, as well as those of their relatives and associates. The burden of proof has been shifted in these cases to the arrested person, with a quasi-judicial process of forfeiture that is uncomplicated and effective. Similarly, we have also amended our Prevention of Money Laundering Act comprehensively, bringing drug-related offences too within its ambit.

12. A new area of concern that has emerged since UNGASS 1998 is the misuse of internet pharmacies to smuggle drugs. The Narcotics Control Bureau of India has busted several such pharmacies in collaboration with their counterparts in other countries. The International Conventions of 1961, 1971 and 1988 did not envisage or deal with this problem and it is, therefore, necessary for this problem to be tackled at the global level. We need to come to an understanding on how internet pharmacies should be

regulated so as to provide users the benefits of e-commerce, while preventing sale of controlled drugs without prescriptions.

13. There can be no two opinions about the need for treatment of drug addicts, alongside other, if necessary penal, measures for demand reduction. The 'harm reduction' approach, which has not been able to secure all round acceptability, could continue to be practised in countries where it is determined to be in accordance with the value system of the people by the governments concerned. We need to respect the value systems of different countries and policy makers need to take informed, evidence based, decisions.

14. In conclusion, Mme, Chair, I would like to compliment Ambassador Selma Ashipala-Musavyi of Namibia and Ambassador Ali Asghar Soltanieh of Iran for their dedicated stewardship of the preparatory work for this High Level Segment of the CND.

Thank you.