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Eastern Horizons

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Our Cover

Sustainable Alternative Livelihood Opportunities

A significant progress has been achieved in reducing illicit opium poppy cultivation in the region over the last decade. The overall opium poppy cultivation is contained. Yet, much remains to be done as farmers who depend on income derived from the cultivation of illicit drug crops remain poor. Poverty alleviation and sustainable licit income sources should continue to

be the main goals of sustainable alternative development, with food security and income generation programmes strengthened to support farmers.

Text by Olivia Sylvia Inciong

Photo by Jan Orsini

Ending Impunity for Traffickers



UNODC Photo/ Chantchai Virayodhin

Think about this: Trafficking of persons continues to allow traffickers to make huge profits at the expense of exploited victims, and with the majority of traffickers and exploiters facing no punishment. Justice has not been served for trafficking victims.

Such stories and incidents are familiar in the region.

The criminal justice response is one of the major elements countries need to take action to address the crime of trafficking in persons. Attacking the crime at the point of exploitation will lower the incentive to traffic in humans and decrease the demand for products and services of exploited people. Strengthening the information sharing between law enforcement agencies on international trafficking routes and traffickers' profiles will work to dismantle criminal groups, leading to the conviction of traffickers. Ensuring international agreements are translated into national laws and practices and monitoring compliance will be essential so that good intentions turn into concrete results.

It is worth noting that countries in the East Asia and the Pacific region have given increased importance to the development of effective legal frameworks and criminal justice mechanisms to combat the crime of trafficking in persons and to secure justice for victims.

Successful investigation, prosecution and adjudication require multi-agency collaboration to succeed. At the national level, this involves relevant government agencies and departments, and needs the support of non-governmental agencies. It often requires practical joint actions between countries. At the international level, this has to translate into the close cooperation of all United Nations and other competent international bodies, to ensure a focused and coordinated response.

The international community and UNODC recognize that it has the duty and obligation to prevent and suppress human trafficking, to stop the exploitation of men, women and children, and to take collective decisive actions to prosecute traffickers.

Yet, many information gaps need to be bridged to enable governments to end impunity among human traffickers. While countries have varying numbers of human trafficking cases, what standards have been put in place for specialist and frontline law enforcement responses, including the identification and protection of victims? What were the national experiences in the effective prosecution and adjudication of trafficking in persons cases, with special consideration of the legal, ethical and practical implications of involving children in the investigation and prosecution of those cases, as well as issues of mutual legal assistance? What regional activities and initiatives in support of more effective criminal justice response to trafficking in persons are in place? What has been achieved in the region? What are the future challenges? How can donor coordination and collaboration be more effective?

One of the responses of the international community is GIFT - The United Nations Global Initiative to Fight Trafficking. It is a global movement designed to mobilize state and non-state actors, to reduce vulnerability of potential victims and to reduce the demand for exploitation in all its forms, to ensure adequate protection and support to those who fall victim, and to support the efficient prosecution of the criminals involved, while respecting the fundamental human rights of all persons.

It is hoped that through GIFT, the region could further enhance regional partnerships and joint actions on the complicated legal, law enforcement and operational issues in the criminal justice response to trafficking in persons. By working together more effectively, multi-sectors could advance the anti-human trafficking agenda. UNODC stands ready to assist the countries by fully utilizing its comparative advantage of being able to reach out to all partners—judicial, law enforcement, regulatory, or otherwise.

Akira Fujino
Representative

United Nations Office on Drugs and Crime
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Bangkok

Ending Impunity and Securing Justice

UNODC Photos/ Chartchai Virayodhin



The United Nations Global Initiative to Fight Human Trafficking (UN.GIFT) East Asia and the Pacific Regional Workshop on Criminal Justice Response to Trafficking in Persons was held on 2–4 October 2007 in Bangkok, Thailand. The workshop was jointly organized by the Royal Thai Government and the United Nations Office on Drugs and Crime (UNODC) with technical assistance from the Asia Regional Trafficking in Persons (ARTIP) project as one in a series of regional events to feed into a global conference on trafficking in persons scheduled to take place in Vienna in February 2008.

The workshop was attended by delegations from Australia, Cambodia, China, Indonesia, Japan, Lao PDR, Malaysia, Mongolia, Myanmar, New Zealand, Palau, the Philippines, the Republic of Korea, Thailand, Tonga and Viet Nam.

Representatives from the International Labour Organization (ILO), International Organization for Migration (IOM), United Nations Office of the High Commissioner for Human Rights (OHCHR), Office of the United Nations High Commissioner for Refugees (UNHCR), United Nations Development Programme (UNDP), United Nations Children’s Fund (UNICEF), United Nations Inter-Agency Project on Human Trafficking in the Greater Mekong Sub-region (UNIAP), United Nations Educational, Scientific and Cultural Organization (UNESCO), CIDA-supported SEARCH

Project, ARTIP, Government of Norway, Government of the United States of America, Centre for the Protection of Children’s Rights Foundation, ECPAT International, Coalition to Fight against Children’s Exploitation, Forum Asia, Foundation Acting for Women in Distressing Circumstances, Friends of Women Foundation, the Global Alliance against Trafficking in Women, Plan International, Save the Children Alliance, World Vision, Interpol and individuals participated as observers.

Representatives from the Association of Southeast Asian Nations (ASEAN) Secretariat, the ASEAN Senior Law Officers Meeting, UNODC, ARTIP, Government of Thailand, UNICEF, IOM, Government of Australia, Government of the United States of America and Government of Norway provided expert inputs into various sessions of the workshop.

Mr Virasakdi Futrakul, Permanent Secretary of the Ministry of Foreign Affairs, Royal Thai Government, delivered the keynote address and opened the workshop.

Mr. Akira Fujino, UNODC Representative provided participants with a brief overview of the GIFT initiative.

Dr. Kumar Anish Roy, Director, Office of Coordination, Bureau of External Relations and Coordination of the ASEAN Secretariat, delivered a presentation on “Criminal Justice

Responses to Trafficking in Persons (TIP): Challenges, Developments and Opportunities in ASEAN". The presentation explored recent developments within ASEAN and in the ASEAN region in relation to criminal justice responses to TIP. The speaker focused on future opportunities and challenges. The ASEAN practitioner guidelines, adopted by the Senior Officials Meeting on Transnational Crime in June 2007, was presented to the workshop as one recent example of movement towards common standards and approaches in the investigation, prosecution and adjudication of TIP cases.

Dr. Anne Gallagher, Technical Director of ARTIP, provided an overall conceptual framework for the issues to be considered in detail during the workshop including investigation, prosecution and adjudication of TIP cases. The speaker drew on international and regional legal and policy standards as well as national trends in law, policy and practice to identify and explain the key elements of an effective criminal justice response to TIP.

Mr. Willem Pretorius, Team Leader of ARTIP, delivered a presentation on "Critical Elements in the Investigation of TIP Cases, Challenges and Opportunities". The speaker drew on legal and policy instruments as well as practical lessons from law enforcement experience both within and outside the region in identifying the key elements of an effective law enforcement response to TIP.

Police Lieutenant Colonel Suchai Chindavanich from the Child, Juvenile and Women Division of the Royal Thai Police focused on one of the several elements of an effective law enforcement response, specifically, the establishment of specialist investigation units for TIP within national law enforcement agencies. The presentation outlined the salient features of a specialist investigation response to TIP as this concept has evolved within the Asian region over the past several years. Details were also provided on the Heads of Specialist Units (HSU) process, established in South East Asia in 2004 and now involving eight countries of the region.

Workshop working groups discussed the issue of investigation of TIP cases and developed recommendations for States on this aspect of their response to trafficking in persons.

Recommendations were developed under three broad headings: (i) specialist investigation responses; (ii) front-line law enforcement responses; and (iii) bilateral/regional/international operational cooperation in TIP investigations.

The workshops also considered issues on the effective prosecution and adjudication of TIP cases.

Mr. Albert Moskowitz, Prosecutorial Adviser, ARTIP, delivered a presentation on "Prosecuting TIP Cases". He identified four keys to successful prosecutions: securing



victim cooperation; developing corroboration; preparing for the defense; and assuring a fair trial. Each issue was explained in detail with examples from recent cases. He also examined the different but complementary role of the judge and the prosecutor in criminal justice trials and considered the advantages of a specialist approach to prosecuting trafficking cases.

Ms. Shelley Casey, Child Protection Specialist with UNICEF, spoke on the topic of “The Child as Witness” where she examined the legal, ethical and practical implications of involving children in investigation and prosecution of TIP cases. She focused on the challenges of implementing the “best interests” principle and the special obligations of and challenges confronting criminal justice agencies when working with child witnesses.

Mr. Michel Bonniou, Senior Regional Legal Adviser with UNODC, delivered a presentation on “Key Issues, Challenges and Opportunities in Mutual Legal Assistance and Extradition”. He considered this issue from a regional perspective, exploring the legal and practical dimensions of international cooperation in relation to TIP cases with a particular focus on mutual assistance and recovery of the proceeds of crime. Obstacles to more effective international legal cooperation were explored and several strategies for dealing with such obstacles offered.

Mr. Umar Saifuddin Jaafar, representing the ASEAN Senior Law Officers Meeting introduced the Treaty on Mutual Legal Assistance in Criminal Matters among like-minded ASEAN Member Countries. He outlined the origins of this initiative and provided a comprehensive overview of its major provisions. The presentation included a brief overview of recent efforts, within ASEAN, to standardize issues around the related matter of extradition.

Recommendations resulting from the working groups discussions were organized under four broad headings: (i) legal framework; (ii) organization of the prosecutorial and judicial response; (iii) protection and support for victims including victim witnesses; and (iv) international legal cooperation.

Two panels tackled the issue of effective and coordinated support to the criminal justice response.

The first panel addressed “Regional Initiatives in Support of Criminal Justice Responses to Trafficking in Persons”. The three panellists were Mr. Lance Bonneau, International Organization for Migration; Ms. Bronte Moules, Deputy Ambassador to the Australian Embassy in Thailand; and Dr. Anish Kumar Roy, ASEAN Secretariat. Mr. Bonneau provided the workshop with information on the Bali Process and Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT), two important regional policy initiatives with direct implications for national and regional criminal justice responses. Ms. Moules outlined the Australian Government’s response to trafficking in persons with a

focus on legislative, policy and institutional developments over the past several years. In his broad-ranging presentation on the challenges of securing strong and effective collaboration, Dr. Roy noted the importance of common standards in promoting cross border and regional cooperation on an essentially transnational issue such as TIP.

The second panel discussed “Donor Activities in Support of More Effective Criminal Justice Responses to TIP and Areas for Coordination and Collaboration”. Panelists were Mr. Phillippe Allen, Minister Counsellor, AusAID, Mr. Richard Whelden, Deputy Mission Director, USAID; and Mr. Lasse Nymoen, Counsellor (Development Cooperation), Royal Norwegian Embassy. The panel discussed donor support to national and regional efforts aimed at strengthening the criminal justice response to TIP in Asia. Discussion included consideration of key initiatives in the region and the principles of the Paris Declaration in relation to effective coordination of donor inputs. Panelists outlined the relevant bilateral and regional programmes in which they were engaged.

Further discussions focused on the need for donors to work together with counterparts in ensuring that aid programmes in this sector, strengthened national capacities, reinforced national priorities and plans, avoided duplication and built on comparative advantages. The issue of monitoring and evaluation in relation to offering support to criminal justice responses to TIP was also raised. It was agreed that the development of criteria for an effective criminal justice response to TIP, through forums such as ASEAN and the present meeting, was an important step forward in developing more rigorous monitoring and evaluation frameworks for use by governments in measuring their progress. ■

UN.GIFT - East Asia and the Pacific Recommendations on an Effective Criminal Justice Response to Trafficking in Persons

The following recommendations were adopted by participants of the UN. GIFT Regional Workshop on Criminal Justice Responses to Trafficking in Persons (Australia, Cambodia, China, Indonesia, Japan, Lao PDR, Malaysia, Mongolia, Myanmar, New Zealand, Palau, the Philippines, Republic of Korea, Thailand, Tonga, Viet Nam).

Recommendation 1

A comprehensive legal framework in compliance with international standards

To the extent possible and in accordance with domestic law and applicable international legal obligations:

- Trafficking in persons and related crimes should be criminalized in accordance with international definitions;
- Penalties for trafficking in persons and related crimes should be appropriate and proportionate;
- The legal framework around trafficking in persons should reflect the principle of extradite or prosecute;
- Bilateral and multilateral agreements on extradition and mutual legal assistance should be made applicable to the crime of trafficking in persons;
- The legal framework should enable the tracing and recovery of proceeds of trafficking in persons and trafficking related crimes;
- The legal framework should enable victims of trafficking to access legal remedies; and
- States should be encouraged to ratify and/or accede to international instruments relevant to the issue of trafficking in persons.

Recommendation 2

An effective specialist investigation function within law enforcement agencies

To the extent possible and in accordance with domestic law and applicable international legal obligations:

- States should consider establishing a specialist function reflecting the national legal framework, and the national law enforcement structure;
- The specialist function should either be national in its jurisdiction or otherwise empowered to work with/within and/or assist provincial authorities;
- The specialist function should operate under standard operating procedures that are consistent with international standards;
- Specialist training should be provided to investigators who have been or who may be given responsibility in relation to TIP cases; and

- There should be appropriate consideration of gender issues in the investigation of TIP cases in recognition of the particular situation and needs of women and girls.

Recommendation 3

Front line law enforcement officials understand the crime of trafficking, their powers, and their responsibilities to provide an effective initial response

To the extent possible and in accordance with domestic law and applicable international legal obligations:

- There should be recognition that front line law enforcement agencies and officials have an important role to play in an effective national criminal justice response to trafficking;
- The specific responsibilities of front line agencies and officials should be identified as including: preliminary enquiries; victim identification, notification and referral; protecting the rights of victims including access to immediate care and protection; crime scene preservation and security of evidence; ensuring the rights of suspects on arrest; intelligence gathering; and prevention of trafficking in persons;
- Guidelines and procedures should be developed covering all front line roles and responsibilities as well as the relationship between the front line and the specialist function; and
- Front line officials should receive training appropriate to their roles and responsibilities.

Recommendation 4

Systems and procedures are in place to enable effective cross-border, regional and international investigative cooperation on TIP cases

To the extent possible and in accordance with domestic law and applicable international legal obligations:

- A central focal point should be identified for cross-border, regional and international operational cooperation in relation to TIP investigations;
- Efforts should be made to strengthen such operational cooperation utilizing existing mechanisms such as INTERPOL, EUROPOL, ASEANAPOL, diplomatic channels, etc.;
- Regular meetings should be convened between concerned bodies to exchange information and to facilitate effective cross-border operational cooperation;

- Cross-border, regional and international operational cooperation should be strengthened through bilateral and multilateral agreements.
- Joint investigations of TIP cases, undertaken in accordance with relevant laws and procedures, are encouraged; and
- States should explore the use of border liaison posts as a means of facilitating cross-border operational cooperation in relation to TIP investigations.

Recommendation 5

The prosecutorial and judicial responses are organized in a way that promote effective prosecution and adjudication of trafficking in persons cases in accordance with international standards

To the extent possible and in accordance with domestic law and applicable international legal obligations:

- States should consider developing, as required by the expected caseload, a specialist prosecutorial capacity to deal with trafficking in persons and related crimes;
- Selected prosecutors should receive specialized training on prosecuting trafficking in persons cases;
- The judiciary should be encouraged to develop specialization regarding the crime of trafficking in persons;
- All prosecutors and judges should be provided basic awareness training on the crime of trafficking in persons including their responsibility to ensure a fair trial; and
- There should be appropriate cooperation between investigators and prosecutors in relation to trafficking in persons cases.

Recommendation 6

Victims of trafficking should be protected and fully supported as witnesses

To the extent possible and in accordance with domestic law and applicable international legal obligations:

- All efforts should be made to secure victim consent and cooperation in the prosecution of trafficking in persons and related crimes;
- In the absence of victim cooperation or availability, prosecutions should proceed to the extent that legal procedures allow and the evidence is otherwise sufficient;
- Protection and support should be provided to victims, irrespective of their involvement in criminal justice proceedings;
- Victims of trafficking should not be charged or prosecuted in relation to crimes committed by them that are a direct consequence of an act of trafficking in persons or related crimes;
- Victim privacy should be respected, consistent with rights of accused persons to a fair trial;
- Victims should be provided access to information, legal support and advice, psychological support,

protection and shelter prior to and during legal proceedings;

- In the interests of justice and victim protection, efforts should be made to expedite criminal proceedings in trafficking in persons cases;
- A range of alternatives to testifying in open court should be explored;
- There should be a possibility for victims to be permitted to remain in the country for the duration of proceedings when this is considered necessary;
- The special needs and rights of children should be protected and respected;
- Criminal justice and other relevant governmental agencies should cooperate with State and civil society victim support agencies to ensure the safety and well-being of victims throughout the criminal justice process; and
- Protection for witnesses and immediate families should be available where necessary, including through international cooperation.

Recommendation 7

Systems and procedures are in place to enable effective international legal cooperation on trafficking in persons cases

To the extent possible and in accordance with domestic law and applicable international legal obligations:

- In order to ensure there are no safe havens for offenders, States are encouraged to either extradite or prosecute alleged offenders;
- States should ensure that systems and processes are in place to enable effective mutual legal assistance in relation to the prosecution of trafficking in persons cases; and
- Criminal justice officials should receive training on international legal cooperation mechanisms and processes relevant to their roles and responsibilities.

Recommendation 8

Systems and procedures should be in place to enable coordinated support to more effective criminal justice responses to trafficking in persons

- Support to more effective criminal justice responses should be consistent with and reinforce national and regional plans and priorities;
- Efforts should be made to identify and meet capacity constraints including those linked to awareness as well as gaps in data and information/research;
- Efforts should be made to further identify criteria for effective criminal justice responses to trafficking in persons in order for States to better monitor and evaluate their progress and achievements; and
- Efforts should be made to improve coordination between national governments and development partners on this issue including through improved clarification of roles and responsibilities. ■

ASEAN Convention on Counter Terrorism

Member countries of the Association of Southeast Asian Nations (ASEAN) - Brunei Darussalam, Kingdom of Cambodia, Republic of Indonesia, Lao People's Democratic Republic, Malaysia, Union of Myanmar, Republic of the Philippines, Republic of Singapore, Kingdom of Thailand, and Socialist Republic of Viet Nam have signed the ASEAN Convention on Counter Terrorism which provides for the framework for regional cooperation to counter, prevent and suppress terrorism in all its forms and manifestations and to deepen cooperation among law enforcement agencies and relevant authorities of the ASEAN Governments in countering terrorism. The Convention was signed 13 January 2007.

The countries are deeply concerned over the grave danger posed by terrorism to innocent lives, infrastructure and the environment, regional and international peace and stability as well as to economic development. They also realize the importance of identifying and effectively addressing the root causes of terrorism in the formulation of any counter terrorism measures, realizing that terrorism, in all its forms and manifestations is a profound threat to international peace and security and a direct challenge to the attainment of peace, progress and prosperity for ASEAN.

The signing of the ASEAN Convention reaffirms a strong commitment to enhance cooperation in countering terrorism which covers the prevention and suppression of all forms of terrorist acts.

The areas of cooperation under the ASEAN Convention may include appropriate measures, among others, to:

- a) Take the necessary steps to prevent the commission of terrorist acts, including by the provision of early warning to the other Parties, through the exchange of information;
- b) Prevent those who finance, plan, facilitate, or commit terrorist acts from using their respective territories for those purposes against the other Parties and/or the citizens of the other Parties;
- c) Prevent and suppress the financing of terrorist acts;
- d) Prevent the movement of terrorists or terrorist groups by effective border control and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents;
- e) Promote capacity-building including trainings and technical cooperation and the holding of regional meetings;
- f) Promote public awareness and participation in efforts to counter terrorism, as well as enhance inter-faith and intra-faith dialogue and dialogue among civilizations;



- g) Enhance cross-border cooperation;
- h) Enhance intelligence exchange and sharing of information;
- i) Enhance existing cooperation towards developing regional databases under the purview of the relevant ASEAN bodies;
- j) Strengthen capability and readiness to deal with chemical, biological, radiological, nuclear terrorism, cyber terrorism and any new forms of terrorism;
- k) Undertake research and development on measures to counter terrorism;
- l) Encourage the use of video conference or teleconference facilities for court proceedings, where appropriate; and
- m) Ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice.

The Parties shall endeavour to promote the sharing of best practices on rehabilitative programmes including, where appropriate, social reintegration of persons involved in the commission of any of the offences covered in Article II of this Convention with the objective of preventing the perpetration of terrorist acts.

The Parties shall, in conformity with their respective domestic laws, afford the widest measure of assistance in connection with investigations or criminal proceedings brought in respect of the offences covered in Article II of this Convention.

The relevant ASEAN sectoral bodies involved in ASEAN cooperation on countering terrorism shall be responsible for monitoring and reviewing the implementation of this Convention. ■

(Source: www.aseansec.org/19250.htm)

Universal Anti-Terrorism Instruments

The 12 universal anti-terrorism instruments related to the prevention and suppression of terrorism describe terrorist offences and establish the obligation to incorporate these offences into domestic penal legislation.

In addition to the introduction of specific offences listed below, these instruments share common provisions which require the States to also criminalize attempts and accomplice of such offences, to punish such offences with appropriate penalties which take into account the grave nature of the offence, to afford one another the greatest measure of assistance in connection with criminal proceedings brought in respect of such offences, and to either extradite the offender to submit the case for prosecution.

- 1) The Convention on Offences and Certain Other Acts Committed On Board Aircraft of 1963 (the “Aircraft Convention”) applies to acts affecting in-flight safety; authorizes the aircraft commander to impose reasonable measures, including restraint, on any person he or she has reason to believe has committed or is about to commit such an act, when necessary to protect the safety of the aircraft; and requires contracting states to take custody of offenders and to return control of the aircraft to the lawful commander.
- 2) The Convention for the Suppression of Unlawful Seizure of Aircraft of 1970 (the “Unlawful Seizure Convention”) requires the parties to the convention to criminalize any person on board an aircraft in flight who “unlawfully, by force or threat thereof, or any other form of intimidation, seize or exercise control of that aircraft or to attempt to do so”; to penalize hijackings.
- 3) The Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation of 1971 (the “Civil Aviation Convention”) requires the parties to the convention to criminalize any person who unlawfully and intentionally performs an act of violence against a person on board an aircraft in flight, if that act is likely to endanger the safety of that aircraft; who places an explosive device on an aircraft.
- 4) The Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation of 1988 (the “Airport Protocol”) is a supplementary to the Civil Aviation Convention and extends the provisions of the Civil Aviation Convention to encompass terrorist acts at airports serving international civil aviation.
- 5) The Convention on the Physical Protection of Nuclear Material of 1979 (the “Nuclear Materials Convention”) criminalizes unlawful possession, handling, use, transfer of nuclear material, stealing of nuclear material, and threats to use nuclear material to cause death or serious injury to any person or substantial property damage.
- 6) The Amendment to the Convention on the Physical Protection of Nuclear Material of 2005 extends the provisions of the Nuclear Material Convention to encompass terrorist acts directed against nuclear facilities, and establishes the Fundamental Principles of Physical Protection of Nuclear Material and Nuclear Facilities to be applied by States Parties (not yet in force).
- 7) The Convention on the Marking of Plastic Explosives for the Purpose of Detection of 1991 (the “Plastic Explosive Convention”) provides for chemical marking to facilitate detection of plastic explosives, e.g., to combat aircraft sabotage, and it is designed to control and limit use of unmarked and undetectable plastic explosives.
- 8) The International Convention for the Suppression of Terrorist Bombings of 1997 (the “Terrorist Bombing Convention”) creates a regime of universal jurisdiction over the unlawful and intentional use of explosives and other lethal devices in, into, or against various defined public places with intent to kill or cause serious bodily injury, or with intent to cause extensive destruction of the public place.
- 9) The Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons of 1973 (the “Diplomatic Agents Convention”), illegalizes attacks on senior government officials and diplomats and defines internationally protected person as Head of State, Minister for Foreign Affairs, representative or official of state or of international organization who is entitled to special protection from attack under international law; requires each party to criminalize and penalize “by appropriate penalties which take into account their grave nature”, the intentional murder, kidnapping, or other attack upon the person or liberty of an internationally protected person, a violent attack upon the official premises, the private accommodations, or the means of transport of such person.
- 10) The International Convention Against the Taking of Hostages of 1979 (the “Hostage Taking Convention”) provides that “any person who seizes or detains and threatens to kill, to injure, or to continue to detain another person in order to compel a third party, namely, a State, an international intergovernmental organization, a natural or juridical person, or a group of persons, to do or abstain from doing any act as an explicit or implicit condition for the release of the hostage commits the offence of taking of hostage within the meaning of this Convention”.
- 11) The Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation of 1988 (the “Maritime Convention”) applies to terrorist activities on ships and establishes a legal regime applicable to acts against international maritime navigation that is similar to the regimes established against international aviation; makes it an offence for a person to unlawfully and intentionally seize or exercise control over a ship by force, threat, or intimidation; to perform an act of violence against a person on board a ship if that act is likely to endanger the safe navigation of the ship; and to place a destructive device or substance aboard a ship and other acts against the safety of ships.

UNODC Technical Assistance

- 12) The Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (the “2005 Maritime Convention”) extends the provisions of the Maritime Convention to encompass terrorist acts on ships using biological, chemical and nuclear (BCN) weapons, discharging oil, liquefied natural gas or other hazardous or noxious substances, or transporting on board a ship explosive or radioactive material, BCN weapon, or person who committed terrorist offences (not yet in force).
- 13) The Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf of 1988 (the “Fixed Platform Protocol”) applies to terrorist activities on fixed offshore platforms establishes a legal regime applicable to acts against fixed platforms on the continental shelf that is similar to the regimes established against international aviation.
- 14) The Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, 2005 (the “2005 Fixed Platform Protocol”) introduces similar offences as those in the 2005 Maritime Convention, committed on or against fixed offshore platforms (not yet in force).
- 15) The International Convention for the Suppression of the Financing of Terrorism of 1999 (the “Terrorist Financing Convention”) requires parties to take steps to prevent and counteract the financing of terrorism, whether directly or indirectly; commits states to criminalize those who finance terrorism; provides for the identification, freezing and seizure of funds allocated for terrorist activities. Bank secrecy will no longer be justification for refusing to cooperate.
- 16) The International Convention for the Suppression of Acts of Nuclear Terrorism of 2005 (the “Nuclear Terrorism Convention”) requires States to criminalize the use of radioactive material or device, or uses or damages a nuclear facility in a manner which releases or risks the release of radioactive material with the intent to cause death or serious bodily injury or substantial damage to property or the environment, or to compel a person or organization or State to do or refrain from doing an act. The Convention also requires States to punish the possession of radioactive material or making or possession of a device with such intent.

The above-mentioned conventions set the framework for the obligation of the state to incorporate the content of the ratified convention into national criminal law. ■

Thematic areas

- Ratification and implementation of the United Nations Convention against Transnational Organized Crime
- Ratification and implementation of the 13 Conventions against Terrorism
- Drug trafficking
- Border management
- Precursor control
- Organized crime
- Human trafficking
- Smuggling of migrants
- Trafficking of firearms
- Cyber crime
- Urban violence

Services

- Legal advice and assistance to review and draft national legislations and regulations, including through the provision of model laws, to facilitate ratification and implementation of international legal instruments pertaining to drugs, crime and terrorism.
- Assistance in implementing measures against the financing of terrorism including through the provision of research tools and legal analysis.
- Expanding the legal knowledge base of criminal justice officials dealing with counter-terrorism issues.
- Provision of capacity building services (which may include use of mentors, advisory services and e-learning programmes) in the following areas:
 - Specialised drug law enforcement investigation techniques;
 - Training of criminal justice officials on new legislation, international cooperation and the rule of law in terrorism-related matters;
 - Border management and controls, risk assessment, targeting and profiling;
 - Managing and oversight over the legal trade and transit of firearms, ammunition and explosives to prevent their diversion to illicit trafficking;
 - Counter-kidnapping;
 - Crime prevention and community response to crime.

Tools

- Legislative Guide to Universal Anti-Terrorism Conventions and Protocols
- Checklist of offences and jurisdiction set forth in the universal instruments relating to terrorism and Security Council resolution 1373 (2001)
- Counter-terrorism legislation database
- Preventing terrorist acts: a criminal justice strategy integrating rule of law standards in the implementation of United Nations anti-terrorism instruments
- Guide for the legislative incorporation of the provisions of the universal legal instruments against terrorism
- Model Law against Terrorism
- Analytical studies on anti-terrorism legislative development
- Anti-money laundering and counter terrorist financing computer software
- Model Terrorist Financing Bill, 2003 (common law systems) ■

Drug Abuse Prevention and Control Week: a Government Institutionalized Campaign

By **Luningning H. Gotera**
Dangerous Drugs Board, Philippines

The Dangerous Drugs Board (DDB) was organized in 14 November 1972 following the issuance of Presidential Decree No. 44, amending Republic Act 6425, also known as the “Dangerous Drugs Act of 1972.”

In November 1973, the late President Ferdinand E. Marcos, issued Presidential Proclamation 1192, declaring every third week of November as “Drug Abuse Prevention and Control (DAPC) Week.” Since then, DDB has provided leadership in the annual nationwide observance of the DAPC Week.

Presidential Proclamation No. 1192, called for an intensive and well-coordinated preventive education and community information on the evil effects of dangerous drugs on the mind and body of individuals, which will in a large measure help in the prevention and control of drug dependence. The government recognized the need to increase understanding among the people on the adverse effects of dangerous drugs on the health as well as on the social and economic conditions of the country.

The Proclamation called upon all agencies of the government, professional, civic and religious organizations, and the mass media to cooperate and coordinate with DDB in this undertaking. The DAPC week was also declared by the succeeding presidents of the Philippines, namely President Corazon C. Aquino, President Joseph E. Estrada, and by the incumbent President Gloria Macapagal-Arroyo.

Objectives

The DAPC week aims to create awareness among citizens on the national crusade against dangers of illicit drugs and drug abuse.

It also aims to generate a more active involvement and participation among different sectors of society such as educators and school authorities, religious groups, socio-civic, medical and para-medical, law enforcement, judicial, barangays, media, labor groups, artists and entertainers, sports enthusiasts, etc., in the anti-drug abuse campaign.

Methodology

Since 1973, DDB in cooperation with its Inter-Agency Committee (IAC) on Drug Abuse Prevention Education spearheads the preparation for the yearly observance of DAPC Week. DDB provides for the annual funding of the activity. IAC decides on the theme for the week in consultation with the Board of DDB.

DDB taps regional offices of some of the IAC members, e.g., Department of Education, Department of Social Welfare and Development, Department of Interior and Local Government, National Youth Commission, etc., for dissemination of information to other regions across the country. Through these vital regional offices, department circulars and memoranda are issued to all concerned urging full support and involvement in activities relative to the anti-drug campaign.

All agencies submit a report of the activities undertaken in relation to DAPC Week. DDB collates the reports and submits these to the Office of the President. Regular budget from the general appropriations is provided for the activity. There is also co-sharing of financial and human resources from among member agencies.

Results

At the 9th Meeting of the ASEAN Senior Officials on Drug Matters held in Kuala Lumpur, Malaysia in September 1985, the ASEAN members agreed to hold the same observance every third week of November and follow the example by the Philippines.

As a result, the first ASEAN Drug Prevention Week was held in November 1985, during which all ASEAN member countries simultaneously launched their drug prevention campaigns.

Greater participation from every sector of Philippine society in the campaign against drug abuse and illicit trafficking has been generated by the DAPC Week activities. Increased awareness on drugs and drug abuse among Filipinos was observed.

Photos by DDB, Philippines





From the annual observance of the DAPC Week spawned other programmes geared toward creating awareness on the harmful effects of drugs.

Two of the institutionalized programmes are the Barkada Kontra Droga or BKD (Peer Group Against Drugs) and the Serbisyo Muna (Service First) Caravan/TV Programme.

The BKD is a peer-based programme designed as a preventive education and information strategy to counter the dangers and disastrous effects of drug abuse. It aims to empower the individual to be a catalyst within his peer group in advocating healthy, drug-free lifestyles through involvement in wholesome activities.

A project of Her Excellency Gloria Macapagal Arroyo, in collaboration with 55 key agencies, Serbisyo Muna aims to expedite the delivery of goods and services to the marginalized sector of society.

34th year

2007 marks the 34th year of celebrating DAPC Week. Her Excellency Gloria Macapagal-Arroyo has maintained



the government's hard stance against illicit drugs and the pursuit of a Drug-Free Philippines. In her State of the Nation Address 2003, she declared that she will bring the war against drugs to every province and village in the entire archipelago.

Lessons learned

In implementing DAPC Week, there is no single government agency that would successfully handle the campaign without support and assistance from partner agencies. Cooperation and networking are ingredients vital to the sustainability of a campaign. After almost 34 years, the Philippine Government led by the revitalized DDB under R.A. 9165 continues to observe DAPC Week, using the multi-disciplinary and multi-pronged approach.

It is also a challenge for the other ASEAN member countries to continue/revive the annual observance of the Drug Abuse Prevention and Control Week as regularly observed by the Philippine Government through the initiative of DDB. ■



Primary Prevention of ATS Abuse among Youth in the Philippines

In 2002, the United Nations Office on Drugs and Crime (UNODC) Regional Centre for East Asia and the Pacific launched a regional programme that would take direct action against amphetamine-type stimulants (ATS) abuse, a problem with a worsening over-all trend in East Asia and the Pacific Region. A sub-programme, “Primary Prevention of ATS Abuse among Youth in Thailand and the Philippines” was launched to deliver primary prevention initiatives in response to the vulnerability of youth towards ATS abuse.

Thailand and the Philippines were chosen as pilot countries due to their exposure to the ATS problem and their experience in community-based primary prevention. The project aimed at improving the capacities of service providers to deliver primary prevention initiatives that are relevant and effective for youth.

Unlike other anti-drugs efforts, the project took a new approach to countering drug abuse by adapting the tools of research and modern marketing for evidence-based strategies to programme development, particularly in the area of public campaigns for prevention.

Both quantitative and qualitative research were used to gain understanding of the community structure, to provide insights into community needs and aspirations, and to focus on the initiatives of community members.

Evidence-based prevention programmes were delivered in Thailand and the Philippines and continued for a period of three years, with the support of the local government. A multi-media campaign was adjusted during the course of the first year based on a monitoring and feedback process.

Heavy emphasis was placed on the recording of community initiatives so that the results would also feed into modifications and addition to national strategies.

Towards the end of the third year, the target groups initially assessed were revisited to determine relative changes in knowledge, attitudes and behavior related to ATS, with the intention to provide a framework for development of other national, bilateral or internationally-assisted primary prevention programmes.

Three towns in Rizal Province were selected. The choice of these towns were based on the criteria of having a rural, semi-urban and urban setting and where the ATS problem was perceived to be at low-risk, medium-risk and high-risk and where support and assistance of local authorities could be ascertained.

Major findings:

- The social perception of drugs as primarily addictive and harmful remained or was slightly reinforced.
- There was considerably a higher awareness of the specific negative health effects associated with ATS and drugs in general.
- There was a significant increase in the awareness of anti-drug laws.

The baseline 2003 study and the 2007 re-assessment indicate that the social perception of drugs as primarily addictive and harmful remained or was slightly reinforced, but with a higher awareness of the specific negative health effects associated with ATS and drugs in general. For example, a greater number of respondents could observe dilated and sunken eyes, sudden loss of weight and insomnia as signs of ATS abuse.

A considerably larger number of respondents became aware of the addictive nature of drugs abused in their community. For example, in the baseline 2003 study, 38 per cent cited crystal methamphetamine (shabu) as an addictive drug while 51 per cent cited it as addictive in 2007. It was also noticeably higher for marijuana (28 per cent in 2004



compared to 68 per cent in 2007), alcohol (7 per cent in 2004, 68 per cent in 2007) and inhalants (7 per cent and 30 per cent).

The considerably higher number citing alcohol and marijuana as addictive may indicate that the notion of “addictive drugs” had expanded and perhaps gained a better understanding of what physical and mental addiction in general entail.

Similar to the greater awareness of the negative health effects, respondents also indicated a greater understanding for the underlying risk factors such as social problems, peer pressure and idleness. Moreover, there was a notable increase in the awareness of anti-drug laws from an initial low baseline (5 per cent in 2004 to 60 per cent in 2007).

Other findings:

- The change in attitude associating ATS drugs with physical attractiveness was inconclusive.

However, the campaign did not change the normative perceptions of the communities, which remained strong anti-drugs but pro-prevention in application of the drug law. They remained strongly in favour of harsh penalty for “pushers” but pro-treatment for drug abusers.

The perceived positive and beneficial effects, including the notion of ecstasy and shabu as “slimming” and associated with physical attractiveness showed mixed results, as shabu abuse was to a greater extent associated with being malnourished (2 per cent in 2004 to 12 per cent in 2007) and

unhygienic (10 per cent and 32 per cent respectively) but more respondents also associated the drug with alertness (8 per cent and 44 per cent) and weight loss (5 per cent to 19 per cent) as positive effects.

- Increase in the respondents’ behavioral intent to quit their existing drug abuse and/or resisting taking up drug abuse
- Respondents actively engaged in peer-to-peer discussions on drug law enforcement and the harmful effects of ATS abuse
- Significant increase in the awareness of anti-drug laws
- Higher number of respondents citing alcohol use

In terms of concrete visible behavioral outcomes, there was a significant reduction in respondents claiming to abuse shabu, from 16 per cent of 300 respondents in the baseline study to 9 per cent in the 2007 re-assessment. There was also a reduction in the number of respondents claiming marijuana abuse, from 24 per cent to 17 per cent. Moreover, there was a reported increase in their behavioral intent to quit their existing drug abuse and/or resisting taking up drugs.

Notably, the key campaign message, “Barkada Kontra Droga”(Peers against drugs) appears to reach the target audience with 30-40 per cent of respondents actively engaging in peer-to-peer discussions on drug law enforcement and the harmful effects of ATS abuse. Moreover, 39 per cent of respondents had told someone to quit, and 25 per cent had encouraged someone to seek help for their drug abuse problem, during the three-year period. ■

Achieving a Drug-Free ASEAN 2015 – Status and Recommendations

Countries in the Association of Southeast Asian Nations (ASEAN) vary significantly in their economic and social development. These differences must be taken into consideration in any region-wide assessment of the illicit drug problem. As a joint concern within the context of Drug-Free ASEAN 2015, it is important that a regional approach is used for the assessment of progress.

Drug-Free ASEAN 2015 - Is the commitment achievable?

As a regional commitment, all ASEAN Member States contribute to the overall achievement of a Drug-Free ASEAN 2015. At the political level, there remains a strong support for improving the security and stability of the region by dealing effectively with the threat posed by illicit drugs. Policy-level attention to the issue is a testament to the priority

political leaders of the region place on mobilizing efforts to deal with illicit drug problems. At the operational level, there is a heightened sense of the need for further joint efforts to meet the supply and demand reduction goals and targets the region has set. In terms of transnational cooperation, the region has moved forward in significant ways in responding to international crime syndicates with collaborative efforts.

UNODC’s Border Liaison Office mechanism is one example. In the light of the shifting nature of the illicit drug threat, there are particular areas of cooperation that must be reviewed. For example, arrangements that allow for the regional Mutual Legal Assistance (MLA) framework established by ASEAN to work optimally are often impeded by national legislation. While some bilateral MLA agreements in the region show promise, the challenge is to find operational solutions for wider implementation. Information-sharing mechanisms that allow for immediate

transnational responses are also not evident in all situations. The analytical ability to consolidate data and produce region-wide assessments is compromised by a lack of key data sets (i.e., precursor seizures and prevalence estimates). These and other challenges are significant obstacles to the achievement of Drug-Free ASEAN 2015. Without further active participation by all countries, not just those with the capacity and resources, the ASEAN region as a whole will continue to be challenged by escalating modus operandi of criminal elements and the accompanying negative social impacts of drug abuse.

Drug-Free ASEAN 2015 - Is the region closer to achieving this goal?

In terms of identifying progress, the region is well equipped to collect data and generate assessments. The establishment of data collection networks at the national level and the consolidation of a regional data collection regime have produced significant results in terms of understanding the size and scope of the illicit drug problem. Though problems persist in gathering some data from the information that is available, the illicit drug problem when compared to 2000 has changed in significant ways. The following trends in the region challenge the ability of governments to progress towards Drug-Free ASEAN 2015:

- While cultivation of opium poppy in the region has reduced significantly, there remains a threat that it could re-emerge if adequate enforcement efforts are not maintained and livelihood issues of farmers are not addressed in sustainable ways;
- The emergence of amphetamine-type stimulants (ATS) as a drug of choice for both traffickers and abusers is established in countries that previously served as transit points but now have production facilities operating within their borders;
- Intravenous drug use (IDU) and its implications for HIV/AIDS transmission continue to be a source of concern. The health impact is not only for individuals who are drug-dependent but also by communities and families who are also at risk. This problem has been further complicated by the growing trend of injecting ATS;
- The impact of the illicit drug trade on the development of communities is evident in cities and villages which serve as trafficking routes or destination points for illicit drugs. This impact is likely as the facility for travel and trade in the Greater Mekong Sub-region and throughout ASEAN increases; and
- The impact of the illicit drugs trade on local governments poses a serious threat to their ability to deal effectively with illegal activities.

Drug-Free ASEAN 2015 - What can be done to accelerate progress?

Despite continued and growing challenges posed by illicit drugs, ASEAN today is far better prepared to respond to these threats than in 2000. There is now a clear understanding of the need to address the issue of illicit drugs in a balanced approach, with equal emphasis on both supply and demand reduction. Officials from the police and public security agencies now share information with colleagues from the ministries of health and education. The recognition that drug dependence is a treatable disease is evident in the strong demand for effective treatment modalities. Law enforcement officials are also now better equipped to manage transnational investigations and communicate with counterparts in neighboring countries. However, in order to achieve Drug-Free ASEAN 2015, additional efforts are required in both supply and demand reduction, including:

- Establishing a region-wide key capacities curriculum for law enforcement training;
- Collaborating with customs authorities to integrate cargo control modalities into free trade and transport facilitation agreements;
- Assessing high-risk groups for drug abuse and initiating targeted prevention campaigns;
- Scaling up treatment coverage and increasing access to community-based programmes for drug dependence;
- Adopting evidence-based approaches for addressing the nexus between IDU and HIV/ AIDS;
- Seeking active private sector participation to increase market access for alternative development products; and
- Expanding and strengthening the Border Liaison Office mechanism as a way to enhance regional cooperation.

There is an urgent need to scale-up efforts in order to stay ahead of the threats posed by illicit drugs. While ASEAN as a region is prepared, there are still some areas of concern that need to be addressed. A key finding is that a regional approach must be maintained in addressing the manufacture and production, trafficking and consumption of illicit drugs. While national actions remain crucial, multilateral approaches are required to effectively address the transnational aspects of the problem, including data collection and sharing, cross-border cooperation, capacity building and control of precursors. Based on these findings, a series of regional responses have been outlined and identifies a way forward towards meeting the goal of Drug-Free ASEAN 2015. ■

(Excerpts of key findings from the report, "Achieving a Drug-Free ASEAN 2015 – Status and Recommendations", published by UNODC Regional Centre for East Asia and the Pacific)

Vulnerability Mapping



Photo by UNODC Project Office, Cambodia

The national workshop on “Rapid Situation and Response Assessment, Commune Mobilization and Basic Framework for Developing Intervention in Cambodia” was held from 4-10 September 2007. The workshop aimed to provide selected Cambodian professionals from the national and provincial levels the needed capacity to manage and monitor the situation of drug abuse prevalence in the 12 most-affected provinces of Cambodia. The workshop provided participants the skills to improve and expand the data collection network for effective drug prevention, treatment and referral services where it was most needed through the gathering of evidence from 60 selected communes.

The workshop was conducted by the National Authority for Combating Drugs (NACD) in cooperation with UNODC Project Office in Cambodia under project H83, “Development of Community-based Drug Abuse Counselling, Treatment and Rehabilitation Services in Cambodia” which is supported by the Government of Japan through the United Nations Trust Fund for Human Security.

The three trainer-consultants, Dr. Samiran Panda, Dr. Tarun Roy, and Dr. Thirumagal developed a set of modules that would guide the participants to conduct the Rapid Situation and Response Assessment in future. These modules would later be used as the guidelines for the training at provincial levels.

In delivering the session, the three trainer-consultants were assisted by Master Trainers (representing national level government and non-government sectors) who took turns as co-trainers. As the workshop training methodology

would be replicated in the future in provincial levels, both Master Trainers and the provincial participants (selected by the provincial authorities) were expected to be able to absorb as much skills as possible to implement similar training programmes and to carry out surveys in future. The Master Trainer would take the role of the trainer-consultant, and assisted by the two provincial participants from each province, would be responsible for conducting skills-building workshops for the provincial level trainees. They were expected to be able to deliver the actual training with high competency and capacity as they had been specifically trained in participatory “adult learning” methodology.

The national workshop, the first in Cambodia, represents a significant step towards building capacity to carry out rapid situation and response assessment of drug use and sexual risk behaviour. It is a key link in a chain of events which would lead to a baseline behaviour survey of drug users and their sexual partners in 12 badly affected provinces.

The workshop was part of a new generation of activities in support of drug prevention and control launched by the UNODC Project Office in Cambodia. Other activities include comprehensive capacity building of NACD and related agencies for drug prevention and control, development and implementation of a nation-wide drug abuse prevention programme addressing all youth, and spearheading the way for prevention of HIV/AIDS and tuberculosis in closed settings such as prisons and drug use treatment centres. ■

Strengthening Judicial Integrity and Capacity in Indonesia

Starting in 2008, the United Nations Office on Drugs and Crime (UNODC) will implement the second phase of a project on corruption prevention with the Corruption Eradication Commission (KPK) and the National Planning Agency (BAPPENAS) of Indonesia. The Government of Germany will support this two-year project.

The project on “Strengthening Judicial Integrity and Capacity in Indonesia” will assist the Supreme Court and all other relevant institutions in strengthening judicial integrity, capacity and professionalism in order to enhance the rule of law in the country. It is a follow-up to the pilot project on “Strengthening Judicial Integrity and Capacity”, which was successfully carried out in 2004-2006 in two provinces (South Sumatra and South East Sulawesi) by the Government of the Republic of Indonesia (GOI) in collaboration with UNODC.

The project is targeted to support the legal reform effort in Indonesia through the Indonesian Judiciary.

Since 1997, the GOI has repeatedly declared its commitment to fighting corruption and has enacted a series of legal measures to address the problem. These include a Clean Government Law, an Anti-Money Laundering Law, and an Anti-Corruption Law. Despite these legal developments, some weaknesses in the system have limited the effectiveness of anti-corruption measures.

In May 2006, UNODC, in collaboration with the Supreme Court and the Department for Law and Human Rights, conducted the First National Integrity Meeting for the Judiciary, which was attended by judges and other stakeholders from more than 20 provinces. The meeting reviewed the findings of the UNODC assessment on judicial integrity and capacity. The reports from the two provinces about the development of action plans and their implementation were presented. The current framework of judicial ethics in Indonesia in the light of the Bangalore Principles of Judicial Conduct was discussed.

In recent years, important steps have been taken in institutional development, with a range of state auxiliary bodies being established with mandates that contribute to the fight against corruption. These bodies include the Commission for the Audit of the Wealth of State Officials (KPKPN); the National Ombudsman Commission; the National Law Commission; and the Commission for the Eradication of Money Laundering.

Legislations related to the legal reform and the judiciary have been passed to address judicial independence, trial procedures and corruption.

Reforms were also introduced in the Attorney General’s Office of Indonesia. Public expectations for Indonesia’s Public Prosecutor’s Office, Attorney General’s Office (AGO) are focused on the elimination of corruption. The AGO has identified and developed a plan of action to meet these public expectations:

- a. To intensify the investigation and prosecution of corruption cases throughout Indonesia;
- b. To review all cases that have ended in order to stop the investigation or prosecution and expedite the enforcement of all cases that have attracted public attention;
- c. To promote internal reform within the AGO; and
- d. To push for the establishment of the independent prosecutorial commission as a part of the effort to develop an external control mechanism for the AGO.

Despite all these efforts, there are some key problems, bottlenecks and constraints that need to be addressed urgently. The reform effort still faces many challenges. The apathy of the institutional culture, and limited human resources, has posed challenges to the speedy implementation of judicial reforms. The culture of reform within the judiciary has not been internalized. Lack of human resources and inadequate infrastructure limits the capacity of the courts to implement the reform agenda. This constraint can only be resolved through continuing training for judges and other judicial staff tailored to meet the demands imposed by the reforms.

The project is targeted to support the GOI in addressing the justice system. For this purpose, it will assist the Chief Justice and AGO as well as other relevant agencies in strengthening judicial integrity, capacity and professionalism in order to enhance the rule of law in the country and thus, assist the Indonesian judiciary.

For further information, contact Michel Bonnieu, Senior Regional Legal Adviser, UNODC Regional Centre for East Asia and the Pacific, E-mail: <michel.bonnieu@unodc.org>. ■

Request for UNODC assistance

Requests from Member States in the region for the United Nations Office on Drugs and Crime (UNODC) legal assistance has increased significantly in 2007. Activities under the Legal Advisory framework have been oriented and prioritized in view of delivering all mandates of UNODC. Activities have been mainly conducted in the area of transnational organized crime, corruption, and drugs.

Through the Senior Legal Advisor, practical legal responses to the requesting Member States after conducting due assessments of the situation and needs have been provided. Efforts were made to assist States in the region such as Mongolia, Brunei Darussalam, and Timor Leste. This strategy provided opportunities to establish new contacts with potential partners and donors for future activities to be developed in the region and ultimately to increase the Regional Centre's portfolio and raise UNODC profile significantly in the region.

Legal service

Legal advisory services and practical training were delivered to countries in the region through regional and inter-regional workshops and conferences conducted by the UNODC Regional Centre in partnership with the Association of Southeast Asian Nations, French Embassy, and Embassy of the United States of America, American Bar Association, Asian Development Bank, and Organization for Economic Cooperation and Development, and Asia Foundation. The training programmes addressed various technical issues such as jurisdiction, appropriate charging, case management, common defenses and sentencing. Focus was made on international cooperation through Mutual Legal Assistance (MLA), special investigative techniques and extradition. Softwares on MLA and extradition and the computer-based training provided UNODC with an invaluable comparative advantage.

Plan of battle against drug offences

For the first time, the General Secretariat of the National Authority for Combating Drugs (NACD) collaborated with the UNODC H83 Project, "Development of Community-Based Drug Abuse Counselling, Treatment and Rehabilitation Services in Cambodia" to organize a training-workshop on preliminary survey of the attitudes of drug users and their sexual partners in order to contribute to addressing the problems of drug addicts facing harm.

Cambodia is a country affected by processing and trafficking of drugs in transit from the Golden Triangle to a third country.

Since late 1990s, Cambodia has experienced a rapid increase in the number of people assumed to have been affected by the use of illicit drugs. The current use of illicit drugs is estimated to be around 4-5 percent of the total population, majority in the age range of 12 to 25.

With this situation, the Anti-Drug Department of the Ministry of Interior started to implement the Plan of Battle against Drug Offences. The plan aims to enhance law enforcement capacities at reducing use of illicit drugs in the country. Monitoring of the plan was developed under five fundamental principles: (1) production of illicit drugs and planting of illicit drug crops; (2) number of people involved in trafficking, circulating, storage of drugs; (3) number of illicit drug users; (4) awareness among the general population about the harms of drugs; and (5) the capacity of law enforcement officials at the commune level.

Currently, anti-drug police have played a monitoring role in the implementation of the plan. As a result, they collect data on law enforcement, and on the use of illicit drugs, illicit drug trends, and treatment.

Institutional reform and capacity building

In discussions between senior and key staff of the National Authority for Combating Drugs (NACD) Secretariat and the Ministry of Education, Youth and Sport (MoEYS) on the issue of membership of the combined working group for in-school and out-of-school system, both agencies recognized the complexity of the drug issue in Cambodian society and agreed on the necessity to systematically address drug issue from within the school system.

A suggestion was made during the Donor and Partnership Meeting of the MoEYS to include drug awareness education into the HIV strategic plan of the ministry to which the Secretary of State of the ministry had accepted. MoEYS has approved this in principle.

UNODC played an important role in linking and strengthening the relationship between MoEYS and NACD Secretariat to enable them to address effectively the issue of drugs in school and out-of-school settings. New partnerships between the two institutions has been gradually established. This will positively contribute to the long-term strategy to cope and address the drug issue in the country.

For further information, contact Lars Pedersen, Project Coordinator, E-mail: <lars.pedersen@unodc.org>.

Scientific and forensic capacity support

Twenty staff of NACD were trained on the proper use of personal protective equipment and how to perform the thionyl chloride neutralization in a safe manner. With the acquired training, skills and confidence developed over a two-week period among local staff who would be able to dispose off chemicals and wastes from clandestine methamphetamine laboratories dismantled in the future. Such skills and expertise can be replicated in other regional forensic laboratories through training courses developed from this Cambodian disposal task.

In August 2007, the UNODC Regional Centre coordinated the disposal of precursor chemicals and drug intermediates seized from the Kompong Speu (Cambodia) clandestine methamphetamine laboratory. A chemical disposal company was engaged for the destruction of about 3.2 tons of the hazardous chemical thionyl chloride. The disposal exercise, funded by the US and Australian Governments, afforded the Cambodian staff from the various government agencies valuable hands-on training.

Other chemicals destroyed were 800 litres of acetone, 700 kg of potassium hydroxide and over 100 kg of the intermediate chloroephedrine.

For further information, contact Chan Kee Bian, Project Coordinator, E-mail: <fo.thailand@unodc.org>.

MOU with Ministry of Health

The UNODC Project Office in Cambodia signed a Memorandum of Understanding (MOU) with the Ministry of Health to support treatment and referral efforts that will link to the Ministry's Health Coverage Plan at village, commune, district and provincial levels for health and drug-related activities including HIV/AIDS, TB and basic health

screening. This is the first time that such linkages are being made. Currently, the drug treatment centres in Cambodia do not have treatment as a focus and are not linked to grassroots referral and relapse prevention services.

To increase the reach of services, information-education communication materials, consisting of a series of seven booklets on various aspects of drug use and its consequences have been produced in the local language. This was a scarce resource in Cambodia. The MOU would have far reaching impact through creation of an inter-departmental substance abuse cell within the Ministry of Health linking scheduled drugs and precursor chemicals, drug exports for treatment including oral substitutes like methadone, curriculum development within the National Institute of Public Health and the National Mental Health cadres to treatment monitoring, delivery and research.

For further information, contact Dr. Anand Chaudhuri, Project Coordinator, E-mail: <anand.chaudhuri@unodc.org>.

New publications

The following have been published by the UNODC Regional Centre through the project, "Primary Prevention of ATS Abuse in Thailand and the Philippines":

- An Introduction to Key Concepts
- Principles for Effective School-Based Prevention
- Communications: Social Marketing Techniques for Prevention
- Early Interventions: At-Risk Groups and Communities
- Collaboration: Building Partnerships for Prevention Activities
- Alternatives: Strategies for Developing Life Skills

For copies, contact Ajarie Salilasiri, Project Assistant, E-mail: <ajarie.salilasiri@unodc.org>.



UNODC Photos

China Recommends Guidelines for Future Drug Control in the Region

By **Zhang Xinfeng**

National Narcotics Control Commission, China

Through the efforts of countries, drug control in the region has achieved unprecedented progress: the area of opium poppy cultivation has declined continuously with several countries' declaration as opium poppy free; the issue of heroin has been brought under contained levels temporarily while drug treatment and rehabilitation have made vigorous strides; the legal mechanism of precursor chemical control has been taking shape, and large amount of precursors were stopped from diversion through international check.

Meanwhile, drug control is confronted with new challenges in the region: the Golden Crescent area, especially Afghanistan, has become the largest cultivation area of poppy and production area of opium, thus posing increasing threat to the region; new drugs, such as methamphetamine and ketamine, have penetrated rampantly and spread rapidly; the illicit diversion of precursor chemicals remains acute; drug-related crimes have become increasingly international, organizational, intelligent, and violent.

With these challenges, four suggestions are recommended.

First, firmly set up the concept and orientation of "Taking people as the focus" in combating drugs. A pragmatic and feasible working plan of drug control at national and sub-regional levels should be drawn, innovating the working models and measures to ensure every drug addict obtains effective treatment and concern as well as eliminate social prejudice and misunderstanding, so that the demand for drugs could be reduced and the spread of drug abuse could be restrained.

Second, elimination of opium poppy cultivation should be a priority objective. All the countries and the international community should seize the opportunity to increase technical, financial and marketing support for sustainable alternative development, prevent re-cultivation in the eradicated areas, so as to thoroughly solve the problems of heroin and other traditional drugs in the region.

Third, further improve the international cooperation mechanism combating transnational drug crimes. Cooperation mechanisms between enforcement agencies should be strengthened, smoothen the channels of intelligence and information sharing, deepen the collaboration with other regions and international organizations, to actively tackle the challenges brought about by new-type of drugs, and effectively suppress transnational drug criminal activities in the region.

Fourth, pool the funds to solve those key issues. With the coordination of the United Nations Office on Drugs and Crime, full use of the cooperation mechanism for sub-regional drug control should be made by specifying the key projects from the existing projects to achieve the maximum efficiency from limited funds.

The 2007 Beijing Declaration among signatory countries to the Memorandum of Understanding on drug control and the revised Sub-regional Action Plan chart the direction for the regional drug control over the following two years.

The Chinese Government will continue to take drug control as its own responsibility, deepen the People's War on Drugs and faithfully implement the International Drug Control Convention. Meanwhile, China will continue to provide support and assistance for relevant countries together with all other countries and international organizations, in the elimination of drugs at an early date. ■



UNODC Photo

Strengthen Cooperation and Open up New Prospects

By **Zhou Yongkang**

National Narcotics Control Commission, China

While prominent successes have been achieved in drug-control efforts, there are new developments in the anti-drug situation in the sub-region. Although opium poppy-growing areas have been reduced significantly, there is a possibility of re-cultivation in large areas. Manufacturing, trafficking and abuse of new-type of drugs are spreading quickly. The effort for the drug addicts' treatment, rehabilitation and reintegration to the society is faced with considerable pressure. Drug crimes, while becoming increasingly internationalized, intelligent and violent, have forged closer links with other transnational organized crimes. It is imperative to reinforce the mechanism of acquiring drug control funds for this sub-region. The Greater Mekong Sub-region drug-control mechanism is faced with both an unprecedented opportunity of development and challenges.

The Memorandum of Understanding (MOU) mechanism must be strengthened. It must have more advanced ideas, more flexible methods, more efficient work and more pragmatic results. First, it is necessary to heighten the consciousness for cooperation and step up efforts for cooperation. It must rely upon the joint efforts and close collaboration to solve the sub-regional drug problems. All countries should, from the high plane of safeguarding the long-term social stability and harmony in this sub-region,

consolidate and develop further the partnership on drug control, work out long-term plan of cooperation, exchange and draw lessons from each other on their experiences on drug treatment and rehabilitation and drug law enforcement, deepen the cooperation in the fields of drug control, anti-money laundering and combating organized crimes.

Second, it is necessary to consolidate law enforcement cooperation and suppress transnational crimes. All countries should establish smooth and efficient exchange channels of intelligence and information, enhance the cooperation on drug law enforcement, carry out multilateral and bilateral joint operations when appropriate, and suppress transnational and cross-border criminal activities on drug manufacture and trafficking.

Third, it is necessary to promote sustainable alternative development to reduce illicit opium poppy cultivation. All countries should cherish the hard-won outcome of opium poppy eradication and alleviation of heroin abuse; view the complete elimination of illicit opium poppies as the priority goals of sub-regional drug control cooperation; further reinforce the efforts to support sustainable alternative development initiatives of relevant countries; provide actively assistance for food, medicines, education and infrastructure; and strive for the thorough elimination of the hazards of traditional drugs in the sub-region as early as possible. ■

Expanding BLO in Myanmar

Myanmar has planned to set up more border liaison offices (BLOs) with immediate neighbor Thailand to curb human trafficking following the establishment of the first such office at Muse trade point opposite China's Ruili.

The anti-human-trafficking thrust will be introduced at three border points with the Southeastern neighbor, namely Tachilek, Maywaddy and Kawthoung linking Thailand's Maesai, Maesot and Ranong, respectively.

The opening of such BLOs is aimed at promoting cooperation in cracking down human trafficking.

Myanmar is drafting a national-level five-year plan of eliminating human trade to step up combating the crime. The plan covers cooperation through policy, prevention, taking action/protection of the victims and capacity building.

In March 2004, Myanmar joined the United Nations Convention Against Transnational Organized Crime and Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women. The country also signed a memorandum of understanding of six-member Greater Mekong Subregion against trafficking in persons in October 2004.

Myanmar passed domestically the Law on Prevention of Trafficking in Persons in September 2005. ■

Regional Training-Workshop on the Development of a Communication Strategy to Support Drug Abuse Prevention Programmes

18 to 20 September 2007

Jakarta, Indonesia



The above training-workshop is one of the regional activities/outputs identified and confirmed by the focal points for the project, “Promotion of Public Awareness on the Dangers of Drugs in East Asia – TDRASG69. Basic campaign strategies are needed to promote national drug abuse control and prevention programmes of various countries/governments. Systematic campaign strategies are more likely to yield positive results and outcomes with support from various stakeholders. The training-workshop was organized in cooperation with the National Narcotics Board (BNN), the national drug control agency of Indonesia.

The training-workshop resulted in the evaluation by 41 participants from the region, nominated by their respective national drug control agencies, on their current communication strategy for increasing public awareness on the dangers of drugs in support of a national drug control programme. Further, the participants developed substantive outlines for their communication plan towards targeted audiences. The training-workshop covered topics such as building communication networks for nationwide campaigns; formulating communication strategies and tactics; measuring impacts of communication interventions; and communication research and baseline data.

The training-workshop discussed Shifting Paradigms in Health Communication: Implications for Strategy Formulation which highlighted the shift from behavioral to ecological approach in health communication between 1960s to 2000s. The focus has shifted from conveying healthy

practices towards an acknowledgement that behavioral change alone cannot solve public health problems. Structural, cultural, political and policy issues are now recognized as integral elements in targeting health concerns and formulating communication strategies. The discussions on Communication Research and Baseline Data shed light on how communication research becomes critical and important to audiences who are the ultimate recipients of communication campaigns. Its types, methods, tools, steps and sections, and the proper way of formulating questionnaires were discussed for the purpose of coming up with a tailor-made, responsive and audience-sensitive communication plan.

The workshop stressed the importance of baseline data in all communication campaigns, and how they play as a peg for measuring programme impact and effectiveness. The discussion on Building Communication Networks for Nationwide Campaigns highlighted the need for strategic communication and networking – borne out of a keen understanding of the audiences. Audiences can be segmented into allies, partners or adversaries; categorized into implementers, or interest and support groups; and classified whether they are primary or secondary targets.

Building networks in the planning process expands the knowledge base surrounding the problem and opens opportunities for discussing conflicts. Steps in the effective building of networks that entail partnership, expansion and negotiation were offered at the workshop.

The topic on Formulating Communication Strategies and Tactics on Drug Awareness and Prevention differentiated strategy from tactics as the former being conceptual; broad in scope; has long-term time frame; reflects well-defined communication direction; involves the message, channel, sender, receiver and environment; and are usually prepared by upper management. Tactics, on the other hand, are operational; provide the details to the strategy; involve inputs, activities, responsible party, venue, time frame and output of programmes and projects; and are formulated by the lower levels of the organization.

Both, however, reflect and respond to the findings of research.

The topic on Measuring Impacts of Communication Interventions clarified the benefits of monitoring and evaluation which are based on the communication objectives formulated earlier in the campaign. Evaluation should answer whether or not the message was accurately conveyed to, understood by and reached the target audience; whether or not there was a positive response in line with the communication objective; and what could be done differently the next time.

The topic on Developing an Outline for a Communication Plan on Drug Awareness and Prevention capped the training-workshop where participants developed an outline for a comprehensive communication plan including the problem, main cause, solution, campaign objective, communication objective, audience, behavior sought, message, channel, sender, receiver, environment, evaluation objective, success indicator, evaluation method, evaluation tool, responsible party, time frame, and budget.

For further information, contact Olivia Sylvia Inciong, Project Coordinator, E-mail: <sylvia.inciong@unodc.org>. ■

Training-Workshop on Drug Abuse Prevention Advocacy for Media

20 to 24 November 2007

Nha Trang City, Khanh Hoa Province, Viet Nam

The above training was jointly organized by the UNODC Regional Centre for East Asia and the Pacific through the Project, “Promotion of Public Awareness on the Dangers of Drugs in East Asia” and the Standing Office on Drugs Control of Viet Nam (SODC) and the Provincial Office of Khanh Hoa Province.

A total of 16 participants from the ten provinces, representing the print and broadcast (radio and TV) media participated in the training-workshop. These provinces covered the ten provinces in Viet Nam with the lowest rate of drug abuse incidence. Earlier, SODC conducted a national survey of drug abuse in the country.

The training-workshop aimed to enable the ten provinces to maintain its rank as the ten lowest provinces abusing drugs in Viet Nam in the next three years. After the workshop, it was expected that the participants would: (1) Be sensitized to the drug problem in the country and in their respective provinces, and the overall impact of drug abuse on the individual, family, and society; (2) Identify the gaps in assisting the national/local drug control agencies in drug abuse prevention and provide recommendations for consideration by SODC; and (3) Plan on story ideas which they can report about in the next six to twelve months related to drug abuse in their respective provinces.

The workshop resulted in the following: (1) Proposals/project ideas on how media can be engaged in practical partnerships with SODC and other drug control agencies in drug abuse prevention; and (2) A set of guidelines for the media in the 10 provinces with the lowest rate of drug abuse.

The above training-workshop as a capacity-building intervention covered the following topics and discussions: national drug situation of Viet Nam, and important role of media in drug prevention work; drug abuse and its link to development, crime, terrorism, HIV/AIDS, human trafficking, peace and security; why the 10 provinces remain to be the lowest provinces abusing drugs; how the media can play a role in raising awareness of risk and protective factors as useful information to help in drug prevention; developing media guidelines; message development on drug abuse prevention by the media; key considerations in developing messages for priority audiences; proposed messages by the media for audiences in the 10 provinces; SODC’s prevention initiatives, gaps in media engagement as perceived by SODC on the media and vice versa; recommendations to bridge these gaps; and project ideas to engage the media in drug abuse prevention and education.





Various exercises were done by the participants, making the workshop a participatory two-way session. The integration of games and group dynamics exercises provided opportunities for the participants to learn in an informal atmosphere, encouraging them to voice out their opinions and providing honest feedback.

SODC presented the gaps in media engagement as perceived by the national drug control agency. As well, an exercise was conducted to elicit the perceived gaps by the media on national drug control agencies.

Considering that the participants were all media practitioners, they felt the need to develop key messages on drug abuse prevention among various audiences. These messages were determined, considering current drug abuse situation in the ten provinces, and the cultural norms and preferences of the residents in the provinces. The messages were targeted to the youths and the families.

While the participants have been practicing their professions over the past five years, practically all of them had very limited exposure and experience in drug abuse reporting. Thus, guidelines were proposed to be considered by the media in doing their reports.

The three-day workshop resulted in the following:

1. Identification of story ideas for media. Over the years in their practice of journalism, reporters and broadcasters from the ten provinces only reported about drug abuse seizures and arrests of traffickers. After the training-workshop, they have broadened their insights on drug abuse reporting and identified the following story ideas, among others, for reporting and coverage in the media: drug prevention initiatives in schools and universities

and the need for an integrated approach to the drug abuse problem; successful stories about recovering drug abusers; reintegration of former drug abusers into the community; a report on the achievements of a rehab centre; pains and sufferings of the children of drug abusers; drugs which are not known by the public but commonly abused; achievements in law enforcement in drug abuse control; models of caring and helping recovering drug abusers in the community; the drug control programme at commune and district levels; capacity building for the media in drug prevention and control; how war veterans can help ex-drug abusers; drug control law; drug control agencies; relationship between injecting drug use and HIV/AIDS; international cooperation; etc.

2. Messages for media's dissemination. Two key messages were also identified by both print and broadcast media: drug abuse prevention among the youth and the role of the family in curbing the problem.

3. Proposed projects for media engagement in drug abuse prevention. TV/radio programmes specializing in drug abuse prevention and control; space for drug abuse prevention and control stories in the newspapers, e.g., at least 2 pages per month devoted by a newspaper; quizzes on drug harms for students; building up a network of educators at distinct & commune levels; daily messages on TV and radio; capacity-building initiatives for media practitioners in the other provinces; special awards for those involved in drug advocacy in schools; development of special programmes on newspaper/TV, radio; writing of scripts for dramas and plays to be broadcast in radio and TV; and special awards for media on drug abuse reporting.

For further information, contact Olivia Sylvia Inciong, Project Coordinator, E-mail: <sylvia.inciong@unodc.org>. ■

Corruption: Your No Counts!

UNODC Photos/ Charitchai Virayodhin



By **Olivia Sylvia Inciong**
UNODC Regional Centre

In commemoration of the International Anti-Corruption Day, the United Nations Office on Drugs and Crime (UNODC) Regional Centre for East Asia and the Pacific, Mahidol University, National Counter Corruption Commission of Thailand (NCCC), and American Bar Association - Rule of Law Initiative (ABA-ROLI) jointly organized a symposium on 12 December.

The symposium, with the theme, “Corruption: Your No Counts!” was aimed to raise awareness on the corruption issue and share information on anti-corruption initiatives of concerned national and international organizations. The symposium provided an opportunity for the international community, United Nations agencies, members of the diplomatic corps, academe, and private sector, agencies of the Royal Thai Government, media, and general public to understand the development and implementation of interventions in Thailand towards good governance.

The symposium was supported by the United States Department of State and the Thai Samsung Electronics Company Limited.

Exhibits were set up by Mahidol University, National Counter Corruption Commission, People’s Network against Corruption, and Office of the High Commissioner for Human Rights, and UNODC.

In his message, Mr. Akira Fujino, Representative, Regional Centre for East Asia and the Pacific, emphasized the importance of the symposium, in the light of the partnerships and cooperative mechanisms expected to result from the gathering. This was the first time that UNODC Regional Centre jointly held an event with the National Counter Corruption Commission and with the private sector, the Thai Samsung Electronics Company Limited. Secondly, this was

the second time for the UNODC Regional Centre to work in partnership with Mahidol University and the American Bar Association.

During the symposium, the Regional Centre also briefed the participants on the menu of services UNODC could provide to countries, specifically those related to practical widely-agreed standards for investigators, prosecutors and judges; best practices for prevention of corruption; and mechanisms of promoting a common global effort against corruption.

The symposium was one way of promoting the importance of good governance and enhancing awareness of various sectors about the impact of corruption. It featured a pool of experts who provided insights into the many facets of anti-corruption, including opportunities for government and business sectors in taking action on corruption; the role of the criminal prosecution; the Royal Thai Government’s strategic plan for anti-corruption; and the role of the media as an anti-corruption watchdog. An open forum and discussion followed after the presentations. A special presentation was made by the Deputy Permanent Secretary of the Ministry of Justice on the status of the United Nations Convention against Corruption ratification by Thailand.

The Regional Centre Representative closed the symposium by encouraging citizens to be active participants in fighting corruption. They must be given the power to say “no” to the request for a bribe and the security to know that they will be supported. Most people will justify corruption because it is only a few dollars or baht, but what they feed is the culture of corruption. And, in effect, such a culture costs them much more.

The symposium received favourable feedback from various sectors. It has opened doors for building joint activities with concerned agencies. A number of specific contacts were made for possible future activities that can be carried out jointly with other agencies. ■

Youth Leaders Take Action against Alcohol and Drugs

Youth groups in the region shared with their counterparts their best practices in alcohol and drug abuse prevention during the youth forum-workshop on “Taking Action against Alcohol and Drugs by Youth Leaders in East Asia and the Pacific,” held 3 to 7 September in Bangkok, Thailand. A total of 30 youth leaders representing 15 youth organizations in seven countries participated in the youth forum.

Among the best practices shared were the following: drug demand reduction programme through the media utilizing mobile drama teams, radio programmes, video spots and documentaries in Cambodia; village networks in Cambodia; symbiosis youth clubs in Indonesia; songbook, CD dramas, and game books in Lao PDR; know drugs education in Macao SAR; small groups implementation scheme in Malaysia; drug abuse prevention programmes in schools in Myanmar; literacy among out-of-school youths through volunteerism in the Philippines; road shows and youth camps in Thailand; and sports events in Viet Nam.

The best practices and how these were developed, implemented, and evaluated were discussed by the youth leader representatives who attended the five-day youth forum-workshop which was jointly organized by the International Institute of the IOGT-NTO Movement/IOGT RIAN DAC and the UNODC Regional Centre for East Asia and the Pacific through the project, “Promotion of Public Awareness on the Dangers of Drugs in East Asia.”

As a result of the workshop, the youth leaders developed action plans for implementation within the next six months in their home countries. They also identified the type of information materials to be developed for youth groups. A follow-up workshop is scheduled in 2008.



For more information about the youth forum-workshop, contact Olivia Sylvia Inciong, Project Coordinator <sylvia.inciong@unodc.org>. ■

UNODC Photos/ Olivia Sylvia Inciong



Staff Updates

UNODC Photos



Gabrielle David

Ms. David, New Zealander, joined the UNODC Regional Centre as an intern in February 2007, supporting the project, “Scientific Support to Strengthen Regulatory and Law Enforcement Control of Amphetamine-type Stimulants and their Precursors in East, South and South-East Asia”. Prior to the internship, she gained a BSc (Hons) in Chemistry and was undertaking a PhD in “Stable Isotope Analysis of Aromatic Amines” (specifically methamphetamine) at the University of Otago, New Zealand. Upon completion of her internship, she returned to her home town of Dunedin to complete her PhD research. She also gained national recognition for her research in the MacDiarmid Young Scientist of the Year Awards, and was awarded runner-up in her category.



Michael Hone

Mr. Hone, Australian, joined the UNODC Regional Centre as an intern in January 2007 supporting the Project, “Improving Amphetamine-type Stimulants Data and Information Systems”. Prior to the internship, he was studying for his combined Bachelor of Law and Arts degrees at the University of Melbourne, Australia. Mr. Hone is currently working as a solicitor in the Mergers & Acquisitions Group in Mallesons Stephen Jacques, Australia.



Phy Phat

Mr. Phat, Cambodian, joined the UNODC Project Office in Cambodia as an Administrative and Finance Assistant in March 2007. Prior to joining UNODC, he has worked with the United Nations Development Programme (UNDP) Service Centre Project in Cambodia as Administrative and Finance Assistant, and with UNDP Cambodia Country Office as Finance Assistant. Mr. Phat holds a Bachelor’s degree in Business Administration and a Master’s degree in Business Administration.



Patit Suphaphongs

Mr. Suphaphongs, Thai, joined the UNODC Regional Centre in March 2007 as an IT Specialist. He earned a degree and professional certificate in computer-multimedia designs and programming, visual communications and computer networking system in USA and Thailand. Mr. Suphaphongs has experienced working both in USA and Thailand, in the areas of e-business and e-learning for education campaigns.



Anne-Lise Sauterey

Ms. Sauterey, French, joined the UNODC Regional Centre as an intern in April 2007, supporting the Regional Centre’s Legal Advisory Programme. She is currently pursuing a doctoral degree in Geopolitics at the University of Paris 1 Pantheon-Sorbonne, France

Seminar Workshop on Drug Law

To coordinate and integrate the overall efforts of the criminal justice system (CJS) especially in the field of prosecution and criminal investigation, a series of seminar-workshops was organized by the Dangerous Drugs Board (DDB) and the Judicial Academy Supreme Court of the Philippines on the new drugs law.

The seminar, participated in by judges, prosecutors, and law enforcers aimed to update the participants on the classification of drugs, controlled precursors and essential chemicals as listed in the 1961, 1971 and 1988 United Nations Conventions on narcotic drugs, psychotropic substances and the illicit traffic; the R.A. 9165 and its implementing Rules and Regulations and the DDB Regulations.

The seminar identified the problems encountered in prosecuting drug-related cases and proposing solutions to these problems. Specifically, the seminar enhanced the knowledge on identifying, gathering, handling, presenting and proper use of drug evidence arrests, search and seizure; and refreshed the participants of their knowledge about well-tested trial techniques, and to familiarize them on new procedures and the latest jurisprudence.

Republic Act 9165, also known as the “Comprehensive Dangerous Drugs Act of 2002” was promulgated to give more teeth to the government’s drive against illegal drug trade and addiction.

In approving the new law, Philippine President Gloria Macapagal-Arroyo repealed the Dangerous Drugs Act of 1972.

Republic Act 9165 provides stiffer penalties for illegal drug possession and pushing but, at the same time, seeks to protect the country’s most precious resource, the youth.

It is the policy of the State to safeguard the integrity of its territory and the well-being of its citizenry particularly the youth, from the harmful effects of dangerous drugs on their physical and mental well-being, and to defend the same against acts or omissions detrimental to their development.

It is also the policy of the State to provide effective mechanisms or measures to re-integrate into society individuals who have fallen victims to drug abuse through sustainable programmes of treatment and rehabilitation.

For further information, contact Ms. Tess Pineda, Dangerous Drugs Board, Philippines, E-mail: <tesspineda06@yahoo.com.ph>. ■

**Mani-Samouth Doré**

Ms. Doré, French, joined the UNODC Regional Centre as an intern in April 2007, supporting the project, “ASEAN and China Cooperative Operations in Response to Dangerous Drugs (ACCORD)”. She holds a Master’s degree in Anthropology from Université Paris VII and is currently pursuing a doctoral degree in Anthropology from Université Paris V, Sorbonne, France.

**Keisuke Senta**

Mr. Senta, Japanese, joined the UNODC Regional Centre in May 2007 as senior legal expert. After graduating from the Tokyo University Faculty of Law and passing the national bar exam, Mr. Senta worked as a prosecutor in several cities in Japan, including Tokyo, Kobe and Chiba. He also worked in the then Crime Prevention and Criminal Justice Branch of the United Nations Office at Vienna (1990-92), Japanese Mission to the European Union (1995-97), Ministry of Justice (1997-2000) and United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI, 2003-2007). Mr. Senta’s work is focused on providing technical assistance aimed at strengthening the legal regime against certain types of criminal conducts.

**Rattana Duangpruen**

Ms. Duangpruen, Thai, joined the UNODC Regional Centre in May 2007 as a project assistant, supporting the project, “Drug Abuse and HIV/AIDS Prevention”. She obtained a Bachelor’s Degree in Languages for Career from Srinakarinwirot University (Thailand) and a Master’s Degree in English from Thammasat University (Thailand). Before joining UNODC, she worked as a project assistant for a joint collaboration project between Thai and Japanese Governments.

**Monica Ciupagea**

Ms. Ciupagea, Romanian, joined the UNODC Project Office in Indonesia as HIV/AIDS Country Advisor in July 2007. A physician with extensive experience in HIV prevention and care among most vulnerable groups, Ms. Ciupagea holds a medical doctor’s degree from the University of Medicine “Carol Davila” Bucharest and Master’s degree in Health Management from the Romanian Institute of Health Services Management, Romania. Prior to joining UNODC, Ms. Ciupagea worked for the Open Society Institute focusing on HIV, substance use, and human rights.

**Ganokrat Teachanuntra**

Ms. Teachanuntra, Thai, join the UNODC Regional Centre in September 2007 as a Project Assistant supporting the project, “Consolidation and Enhancement of the Border Liaison Office (BLO) Mechanism in East Asia and the Pacific”. Prior to joining UNODC, she worked with Thailand’s Office of Natural and Environmental Policy and Planning as a Project Administrator and with the Australian Embassy. Ms. Teachanuntra holds a Master’s degree in Public Administration from the University of Queensland, Australia.

**Edward van Asch**

Mr. Edward van Asch, of Spanish and British nationalities, joined the UNODC Regional Centre as an intern in October 2007 to work for the Border Liaison Office (BLO) Mechanism. His main duties include assisting in the writing of project ideas, concept notes and programme documents designed to expand the mandate and operational capacity of the BLOs. Prior to the internship, he graduated with Honors in International Relations with French from Sussex University (England), having done a year at ‘Sciences Politiques’ Bordeaux and completed a Master’s degree in International Criminology from the University of Sheffield (England).

**Haruka Ezaki**

Ms. Ezaki, Japanese, joined the UNODC Regional Centre in November 2007 as an intern supporting the Legal Advisory Programme and the Representative. She is currently pursuing a degree in international law and French at Tokyo University of Foreign Studies, Japan.

**Andreas Flury**

Mr. Flury, Swiss, joined the UNODC Regional Centre as an intern in September 2007, supporting the UNODC global programme on HIV/AIDS. He holds a Master’s degree in Political Science from the University of Zurich, Switzerland. Prior to joining the Regional Centre, Mr. Flury completed an internship at UNODC Headquarters in Vienna, assisting the HIV/AIDS unit.

**Alexandre Baillon**

Mr. Baillon, French, joined the UNODC Regional Centre as an intern in September 2007, supporting drug law enforcement. He holds Master’s degrees in Political Science and International Law from Institut d’Etudes Politiques de Lille, France.

**Leena Nisawatthanun**

Ms. Nisawatthanun, Thai, joined the UNODC Regional Centre in November 2007 as a finance assistant. She obtained her Bachelor’s degree and Master’s degree in Business Administration from Thammasat University, Thailand. Before joining UNODC, she worked as a project financial controller for Thailand-Japan Technology Transfer Project, Chulalongkorn University and as a financial analyst for IBM (Thailand) Co., Ltd.

Yoonjung Kim

Ms. Kim, Korean, joined the UNODC Regional Centre as an intern in May 2007, supporting the project “Improving Access for Young People with ATS Abuse to Effective Treatment”. She holds a Master’s degree in Creative Writing from Chung-Ang University, Republic of Korea, and is currently pursuing a Master’s degree in Community Mental Health at the University of California, United States.

Laura Perrier

Ms. Perrier, French, joined the UNODC Regional Centre in November 2007 as an intern supporting the Regional Centre’s Legal Advisory Programme. She holds Master’s degrees in International Law and International Relations from the Institut d’Etudes Politiques de Lille, France.

Lost in the Past

Early 1900s – Case of Siam

By Akira Fujino
UNODC Regional Centre



Photo by Office of the Narcotics Control Board, Thailand

“Bangkok Times” 14 March 1923, “Dear Sir, SIAM, as one of the signatories of the Opium Convention, has pledged herself to the gradual suppression of the Opium traffic, but instead, I am sorry to say, she is encouraging it.

The facts are: for the year ending the 31st March, 1923 (B.E. 2465), there are only ninety-six opium shops in Bangkok (Phra Nagara and Dhonburi), but for the next year, commencing from the 1st April, 1923 (B.E. 2466), there will be 107 shops, with an increase of 300 taels of opium per day for consumption. Further, for all other mondholes and chanwads, there will be an increase, commencing from the next Siamese official year, of about 10 per cent, in shops, and 700 taels of opium per day.

Apart from the question of increased crime, I am at a loss to understand why the high authorities of the kingdom allow the officials of the opium administration to effect such an increase to the detriment of the nation’s honour. Enclosing my card, I am, Yours faithfully, A CITIZEN.”

- Letter to the Editor of the “Bangkok Times”, 14 March 1923.

At that time, in early 1900s, Thailand, then referred to as Siam, faced different types of problems in addressing the illicit opium production, trafficking and abuse in the country. The “Bangkok Times” wrote ten days later:

“Siam frankly told the Red Cross Conference that she was not at present prepared to do more towards completing her avowed policy in regard to that drug. The points taken were three: (a) the inability, through the lack of fiscal autonomy, to raise revenue to take the place of the opium revenue; (b) the difficulty caused by the smuggling of opium from other countries, which would make suppression here valueless; and (c) the want of control over the illicit sale of opium by foreign subjects, due to extra-territorial jurisdiction.”ⁱ

In a confidential letter, a foreign legation was critical of the situation in Thailand, referring to the above-mentioned letter to the editor:

“The enclosed letter, signed “Citizen,” and editorial in the “Bangkok Times” of the 24th March last seem, indeed, to indicate a deliberate complicity on the part of the authorities, with a view to increasing the revenue, and as long as the

ⁱ Extract from the “Bangkok Times” newspaper of 24 March 1923, Foreign Office File FO 371/9247 63344, no 240, Public Record Office, United Kingdom.

extravagance of the Court is allowed to run its course it is to be feared that no revenue-producing source, however tainted, is likely to be left untapped.”ⁱⁱ

On the existence of opium poppy cultivation at that time, a field report by a foreign diplomat comments:

“IN the report on the tour undertaken in the western part of this consular district, ... I had the honour to draw your attention to the question of opium cultivation in Northern Siam, and the attitude of the Siamese Administration in Northern Siam towards the opium problem. ... In this connection, some interest attaches to a speech made by Phya Chinda Bhirom [Siamese delegate], on the subject of opium, at the Red Cross Conference held at Bangkok in December last... Phya Chinda stated in that speech that Siam was not an opium producing country. It has long been a matter of common knowledge that opium has been cultivated in many outlying districts in North Siam...”ⁱⁱⁱ

“I have, during my tour, received information in many districts, mainly from Shans or Karens, that opium has been cultivated in the neighbourhood. It is usually grown in clearings in mountainous country by hill tribes, such as Mooseus, eos, Yaos, and occasionally by Karens, and there can be little doubt that the local authorities are, in most cases, well aware that it is being cultivated.”

The letter continues and makes further observations:

“I may, for instance, mention that on one occasion, while going along the main road not far from Muang Pai, I saw a fairly extensive clearing near a Mosseu village, and asked a Shan of the neighbourhood, who had joined my servants on the road, what was cultivated there. He replied that it was opium, which Mosseu grew for sale, and on my asking if the Mosseus were afraid of the authorities, he answered: ‘No; the Mosseus do not fear the gendarmes; it is the gendarmes who fear the Mosseus.’ ...”^{iv}

On another issue of extra-territoriality referred to in the aforementioned Red Cross conference, the United Kingdom Government asked the Government of Siam about the *“extent and manner in which the extra-territorial rights enjoyed by certain Powers impede the enforcement of the Opium Convention in Siam, especially as regards the registration of opium smokers.”*^v

The Minister of Foreign Affairs of Siam, His Royal Highness Prince Devawongse, responded, among other things, noting:

“All the Powers now exercising extra-territoriality in Siam are parties to the Opium Convention of 1912, either directly as signatories or indirectly as members of the League of Nations. Presumably any legislation promulgated by my Government for the purpose of carrying out their international obligations will be accepted by these Powers and applied in their consular courts, but it is nevertheless possible that someone of them may take the position that, though there may be an obligation to apply some Siamese law, still there is no obligation to accept any particular law which may be promulgated. I do not anticipate that such a position will be asserted and confidently hope that Siamese opium legislation will be accepted by all the Legations and applied in their consular courts.”^{vi}

The Foreign Minister then firmly asserts his position:

“In addition, to the obligations imposed upon the Powers by the international conventions and by membership in the League of Nations, I have always maintained that as opium is a reserved subject in all of the original treaties granting extra-territoriality, my Government are not bound to await the acceptance of their legislation upon this subject by the Legations before enforcing it upon the nationals of the extra-territorial Powers. This position has not, however, been without opposition and, as such nationals infringing the Siamese legislation are liable only in their own respective consular courts, it is possible for the Siamese position to be effectively resisted.”^{vii}

H.R.H. Prince Devawongse was appointed Minister of Foreign Affairs in that year, 1923. He concludes the letter by noting, *“This means the abolition of extra-territoriality, if not generally as I think it should be, at least to the extent necessary to enable Siam to satisfy those international obligations for the performance of which she is responsible to the community of nations.”* In recognition of his long and extensive contribution to the Thai diplomatic service, the Ministry of Foreign Affairs subsequently accorded him the title, *“Father of Thai Diplomacy”*.

In early 1900s, such was the situation which Siam faced, requiring her to address different types of issues, at times beyond drug control matters, in order to deal with illicit opium poppy cultivation. Subsequent efforts over decades led Thailand to be the first country in the world to be opium-free today.

Author’s note: *Texts in italics are reproduced verbatim. Names of individuals are withheld.*

ⁱⁱ Confidential letter no.70 dated 13 April 1923 from the British legation to the Foreign Office, [F 1477/421/87], *ibid*.

ⁱⁱⁱ Confidential letter dated 30 March 1923 from the British Acting Consul at Chiangmai to the British Legation, *ibid*.

^{iv} *Ibid*.

^v Confidential letter no.71 dated 13 April 1923 from the British legation to the Foreign Office, [F 1477/421/87], Foreign Office File FO 371/9247 63344, no 243, Public Record Office, United Kingdom.

^{vi} Letter from His Royal Highness Prince Devawongse dated 10 April 1923, addressed to the British Legation, *ibid*.

^{vii} *Ibid*.



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9 December
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