

## Chapter I

### **Matters calling for action by the Economic and Social Council or brought to its attention**

#### **A. Draft resolution to be recommended by the Economic and Social Council for adoption by the General Assembly**

1. The Commission on Narcotic Drugs recommends to the Economic and Social Council the approval of the following draft resolution for adoption by the General Assembly:

#### **Realignment of the functions of the United Nations Office on Drugs and Crime and changes to the strategic framework**

*The General Assembly,*

*Recalling* its resolution 46/185 C, section XVI, paragraph 2, of 20 December 1991, in which it entrusted certain administrative and financial functions to the Commission on Narcotic Drugs,

*Also recalling* Commission on Narcotic Drugs resolution 52/14 of 2 December 2009,<sup>1</sup>

*Further recalling* the report of the Advisory Committee on Administrative and Budgetary Questions on the consolidated budget for the biennium 2010-2011 for the United Nations Office on Drugs and Crime,<sup>2</sup>

*Having regard* to the report of the Executive Director of the United Nations Office on Drugs and Crime on the changes required to the strategic framework and their implications for the Office and for the allocation of resources to the subprogrammes of the programme of work, and on the establishment of an independent evaluation unit and the sustainability of the Strategic Planning Unit of the Office,<sup>3</sup>

*Recalling* its resolution 64/243 of 24 December 2009, entitled “Questions relating to the proposed programme budget for the biennium 2010-2011”, in paragraph 85 of which it expressed concern regarding the overall financial situation of the United Nations Office on Drugs and Crime and requested the Secretary-General to submit proposals in his proposed programme budget for the biennium 2012-2013 to ensure that the Office had sufficient resources to carry out its mandate,

1. *Takes note* of the report of the Executive Director of the United Nations Office on Drugs and Crime on the changes required to the strategic framework and their implications for the Office and for the allocation of resources to the

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<sup>1</sup> *Official Records of the Economic and Social Council, 2009, Supplement No. 8A* (E/2009/28/Add.1), chap. I.

<sup>2</sup> E/CN.7/2009/14-E/CN.15/2009/24.

<sup>3</sup> E/CN.7/2010/13-E/CN.15/2010/13.

subprogrammes of the programme of work, and on the establishment of an independent evaluation unit and the sustainability of the Strategic Planning Unit of the Office,<sup>4</sup> and welcomes the measures taken to develop a thematic and regional programme approach to the programme of work of the Office;

2. *Notes* the anticipated efficiency gains resulting from the proposed realignment, which responds, in particular, to recommendations made by the Office of Internal Oversight Services of the Secretariat, and looks forward to seeing those efficiency gains reflected in the budget for the biennium 2012-2013 for the United Nations Office on Drugs and Crime;

3. *Also notes* that the realignment will not require any change to the strategic framework for the period 2010-2011 and that the thematic and regional programme approach will be reflected in the proposed strategic framework for the period 2012-2013;

4. *Further notes* that the proposed realignment shall contribute to improving the technical assistance programmes and activities of the United Nations Office on Drugs and Crime;

5. *Notes* that the proposed realignment will not diminish the current status of any of the activities promoted by the United Nations Office on Drugs and Crime;

6. *Recalls* that, in Commission on Narcotic Drugs resolution 52/14 of 2 December 2009,<sup>5</sup> the Commission decided that the consolidated budget for the biennium 2010-2011 for the United Nations Office on Drugs and Crime should contain adequate provisions for the establishment of a sustainable, effective and operationally independent evaluation unit, and urges the Secretariat to swiftly implement that decision and commence with the re-establishment of the independent evaluation unit without further delay;

7. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to ensure the sustainability of the Strategic Planning Unit, consistent with the importance of its functions;

8. *Notes* that the reinstatement of the post of Chief of the Policy Analysis and Research Branch at the United Nations Office on Drugs and Crime, at the D-1 level, should be considered only after sufficient funding has been made available for the independent evaluation unit and the Strategic Planning Unit;

9. *Takes note*, in the preceding context, of the realignment of the Division for Treaty Affairs and the Division for Operations of the United Nations Office on Drugs and Crime, and encourages it as an important step in the process of continuous improvement of the Office;<sup>6</sup>

10. *Highlights* the importance of providing legal assistance for drug control and crime prevention and the need to link the provision of such assistance to the work of the Integrated Programme and Oversight Branch of the United Nations Office on Drugs and Crime;

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<sup>4</sup> E/CN.7/2010/13-E/CN.15/2010/13.

<sup>5</sup> *Official Records of the Economic and Social Council, 2009, Supplement No. 8A* (E/2009/28/Add.1), chap. I.

<sup>6</sup> E/CN.7/2010/13-E/CN.15/2010/13, paras. 1-3 and 35.

11. *Notes with concern* the financial situation of the United Nations Office on Drugs and Crime;

12. *Urges* the Executive Director of the United Nations Office on Drugs and Crime to ensure that the Office submits to the Secretary-General a proposed programme budget for the biennium 2012-2013 that appropriately reflects the financial needs of the Office;

13. *Requests* the Secretary-General, in his proposed programme budget for the biennium 2012-2013, to devote due attention to the resource requirements for meeting the mandates entrusted to the United Nations Office on Drugs and Crime, taking into account the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,<sup>7</sup> with particular focus on under-resourced areas;

14. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Narcotic Drugs at its fifty-fourth session on the implementation of the realignment of the Division for Treaty Affairs and the Division for Operations.

## **B. Draft decisions for adoption by the Economic and Social Council**

2. The Commission recommends to the Economic and Social Council the adoption of the following draft decisions:

### **Draft decision I**

#### **Report of the Commission on Narcotic Drugs on its fifty-third session and provisional agenda and documentation for its fifty-fourth session**

The Economic and Social Council:

(a) Takes note of the report of the Commission on Narcotic Drugs on its fifty-third session;

(b) Approves the provisional agenda and documentation for the fifty-fourth session of the Commission as set out below, on the understanding that intersessional meetings will be held in Vienna to finalize the items to be included in the provisional agenda and the documentation requirements for that session.

#### **Provisional agenda and documentation for the fifty-fourth session of the Commission on Narcotic Drugs**

1. Election of officers.
2. Adoption of the agenda and other organizational matters.

##### *Documentation*

Provisional agenda and annotations

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<sup>7</sup> A/64/92-E/2009/98, sect. II.A.

*Operational segment*

3. Policy directives to the drug programme of the United Nations Office on Drugs and Crime and strengthening the drug programme and the role of the Commission on Narcotic Drugs as its governing body, including administrative, budgetary and strategic management questions:
  - (a) Work of the United Nations Office on Drugs and Crime and policy directives;
  - (b) Role of the Commission as the governing body of the drug programme of the United Nations Office on Drugs and Crime:
    - (i) Strengthening the drug programme of the United Nations Office on Drugs and Crime;
    - (ii) Administrative, budgetary and strategic management questions.

*Documentation*

Report of the Executive Director

Reports of the Secretariat (*as necessary*)

*Normative segment*

4. Thematic debate on [*theme to be decided*].
5. Follow-up to the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem.

*Documentation*

Reports of the Secretariat (*as necessary*)

6. Drug demand reduction: world situation with regard to drug abuse.

*Documentation*

Reports of the Secretariat

7. Illicit drug traffic and supply and related measures:
  - (a) World situation with regard to drug trafficking and recommendations of the subsidiary bodies of the Commission;
  - (b) Reducing the illicit supply of drugs;
  - (c) Control of precursors and amphetamine-type stimulants;
  - (d) International cooperation on eradicating the illicit cultivation of crops used for the production of narcotic drugs and psychotropic substances and on alternative development.

*Documentation*

Reports of the Secretariat

8. Countering money-laundering and promoting judicial cooperation to enhance international cooperation:
  - (a) Countering money-laundering;
  - (b) Judicial cooperation.

*Documentation*

Report of the Secretariat (*as necessary*)

9. Implementation of the international drug control treaties:
  - (a) Changes in the scope of control of substances;
  - (b) Reporting by the International Narcotics Control Board;
  - (c) International cooperation to ensure the adequate availability of narcotic drugs and psychotropic substances for medical and scientific purposes while preventing their diversion;
  - (d) Other matters arising from the international drug control treaties.

*Documentation*

Report of the International Narcotics Control Board for 2010

Report of the International Narcotics Control Board for 2010 on the implementation of article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988

Notes by the Secretariat (*as necessary*)

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10. Provisional agenda for the fifty-fifth session of the Commission.
11. Other business.
12. Adoption of the report of the Commission on its fifty-fourth session.

## **Draft decision II**

### **Report of the International Narcotics Control Board**

The Economic and Social Council takes note of the report of the International Narcotics Control Board for 2009.<sup>8</sup>

### **C. Matters brought to the attention of the Economic and Social Council**

3. The following resolutions and decisions adopted by the Commission are brought to the attention of the Economic and Social Council:

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<sup>8</sup> *Report of the International Narcotics Control Board for 2009* (United Nations publication, Sales No. E.10.XI.1).

## Resolution 53/1

### Promoting community-based drug use prevention

*The Commission on Narcotic Drugs,*

*Recalling* the Political Declaration adopted by the General Assembly at its twentieth special session, in which Member States recognized that action against the world drug problem was a common and shared responsibility requiring an integrated and balanced approach,<sup>9</sup> through which supply control and demand reduction reinforced each other, as enshrined in the Declaration on the Guiding Principles of Drug Demand Reduction<sup>10</sup> and the measures to enhance international cooperation to counter the world drug problem,<sup>11</sup>

*Recalling also* Economic and Social Council resolution 689 J (XXVI) of 28 July 1958,

*Recalling further* its resolution 46/1, in which it reaffirmed that the illicit use of drugs could be prevented and in which it urged States parties to the international drug control treaties to take all measures to safeguard the integrity of the treaties,

*Recalling* its resolutions 1 (XXVII), 42/6, 43/4, 44/5 and 48/4,

*Recognizing* that the term “drug use” is defined by the International Narcotics Control Board in its annual report for 2009<sup>12</sup> as the illicit use of narcotic drugs and psychotropic substances covered by the international drug control conventions,

*Recognizing also* the importance of addressing drug use prevention by all Member States,

*Recognizing further* that preventing the initiation of drug use is a successful means of keeping people drug-free,

*Recognizing* that drug use prevention focuses on decreasing risk factors and increasing protective factors, and that drug use prevention interventions include a wide spectrum of efforts in different domains involving individuals, peers, youth, families, schools, law enforcement and criminal justice entities, communities and society at large,

*Recalling* its resolution 51/3, in which it acknowledged that drug use was a public health issue and that early detection and brief intervention and, when appropriate, linking people to treatment required a public health approach that must be addressed within health- and social-care settings between providers and patients,

*Recognizing* that drug use prevention efforts are a cost-effective way to reduce the demand for drugs and are most successful when fully coordinated through a multisectoral approach in which multiple government agencies and non-governmental organizations within communities participate and are sufficiently funded,

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<sup>9</sup> General Assembly resolution S-20/2, annex, para. 2.

<sup>10</sup> General Assembly resolution S-20/3, annex, paras. 4 and 8.

<sup>11</sup> General Assembly resolutions S-20/4 A to E.

<sup>12</sup> *Report of the International Narcotics Control Board for 2009* (United Nations publication, Sales No. E.10.XI.1).

*Recognizing also* that locally developed drug use prevention efforts that involve multiple sectors of the community can contribute to building comprehensive and effective drug use prevention coalitions to address community problems, mobilize coalitions of youth, parents, educational and law enforcement institutions, businesses, the media, health-care providers and religious and fraternal organizations working in conjunction with government entities,

*Acknowledging* that drug use prevention should be a component of other multisectoral community-based efforts, such as those aimed at preventing violence and eliminating poverty, among other efforts,

*Recognizing* that family-based drug treatment and prevention programmes that improve parenting skills, keep families together and support the stability and well-being of families can interrupt intergenerational cycles of addiction, violence and poverty,

*Recognizing also* that community-based prevention efforts can reduce the use of and dependence on drugs,

*Noting* that media campaigns against drug use, when effectively tailored to local circumstances and communicated through publications, television shows, Internet sites and other forums used by youth and the general public, can reinforce and supplement policies and programmes for preventing drug use and raise public awareness,

*Recognizing* that all types of drug use prevention programmes, including those in the community, school and media, are most effective when tailored to local circumstances and culturally adapted, as appropriate,

*Welcoming* the activities of those Member States that have established drug-free community-based coalitions,

1. *Urges* Member States to continue their efforts to prevent drug use and to develop national policies, laws and practices that can be incorporated into national and community-based drug use prevention programmes;

2. *Also urges* Member States to consider implementing a national coordinated response for drug use prevention that includes mobilizing multiple relevant sectors of civil society, in conjunction with government entities including law enforcement and criminal justice agencies, as well as social, health and welfare agencies, working together to learn about, participate in and support effective drug use prevention programmes;

3. *Further urges* Member States to fund community-based drug use prevention efforts that include training and the implementation of reliable evidence-based strategies, where the national situation so requires;

4. *Urges* Member States to develop, fund and implement media campaigns against drugs, as well as family-based drug use prevention programmes that are appropriate to the needs of their populations, where the national situation so requires;

5. *Requests* the United Nations Office on Drugs and Crime to include, as appropriate, community-based drug use prevention modules in its relevant technical assistance and training programmes.

## Resolution 53/2

### **Preventing the use of illicit drugs within Member States and strengthening international cooperation on policies of drug abuse prevention**

*The Commission on Narcotic Drugs,*

*Recalling* the Single Convention on Narcotic Drugs of 1961,<sup>13</sup> that Convention as amended by the 1972 Protocol,<sup>14</sup> the Convention on Psychotropic Substances of 1971,<sup>15</sup> the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,<sup>16</sup> the United Nations Convention against Transnational Organized Crime<sup>17</sup> and the United Nations Convention against Corruption,<sup>18</sup>

*Recalling also* the Political Declaration adopted by the General Assembly at its twentieth special session,<sup>19</sup> the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,<sup>20</sup> adopted at the high-level segment of the fifty-second session of the Commission, and General Assembly resolution 64/182 of 18 December 2009,

*Reaffirming* its resolution 45/15, on reducing demand for illicit drugs, in which it recognized the need to maintain a balanced and integrated approach in addressing the demand for and supply of narcotic drugs and psychotropic substances,

*Reaffirming also* its resolution 48/4, on promotion of policies for the prevention of illicit drug use, in which it expressed deep concern at the dangers of drug use, the effects of drug use on the freedom and development of youth and the negative health and social consequences of drug abuse,

*Taking into account* the report of the International Narcotics Control Board for 2009,<sup>21</sup> in which the Board focused on preventing drug abuse,

*Expressing* its concern at the worrying volume of production and the scale of use of illicit drugs in most regions of the world,

*Recognizing*, however, that in some regions the level of use of illicit drugs is stable or even decreasing,

*Bearing in mind* that investment in evidence-based drug abuse prevention will result in significant progress and that prevention measures need to respond to changing international trends in the use of drugs and attitudes towards that use,

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<sup>13</sup> United Nations, *Treaty Series*, vol. 520, No. 7515.

<sup>14</sup> *Ibid.*, vol. 976, No. 14152.

<sup>15</sup> *Ibid.*, vol. 1019, No. 14956.

<sup>16</sup> *Ibid.*, vol. 1582, No. 27627.

<sup>17</sup> *Ibid.*, vol. 2225, No. 39574.

<sup>18</sup> *Ibid.*, vol. 2349, No. 42146.

<sup>19</sup> General Assembly resolution S-20/2, annex.

<sup>20</sup> A/64/92-E/2009/98, sect. II.A.

<sup>21</sup> *Report of the International Narcotics Control Board for 2009* (United Nations publication, Sales No. E.10.XI.1).



1. *Urges* Member States to develop, with regard to their national situation, an updated policy for the prevention of use of illicit drugs, in particular among youth, on the basis of the best available national and international evidence and to ensure that new and innovative responses are evaluated, taking into account their national legislation;

2. *Reaffirms* its unwavering commitment to ensuring that all aspects of demand reduction, supply reduction and international cooperation are addressed in full conformity with the purposes and principles of the Charter of the United Nations, international law and the Universal Declaration of Human Rights,<sup>22</sup> and, in particular, with full respect for the sovereignty and territorial integrity of States, the principle of non-intervention in the internal affairs of States, all human rights and fundamental freedoms, the inherent dignity of all individuals and the principles of equal rights and mutual respect among States;

3. *Urges* Member States to increase public awareness of drug-related risks, including the risks associated with illicit use of legally prescribed medications;

4. *Encourages* Member States to raise awareness of the importance of facilitating healthy lifestyle choices and to discourage unhealthy choices in different settings, such as, among others, within the family; in schools, universities and workplaces; in means of public transport; in venues of entertainment and leisure; and while driving;

5. *Also encourages* Member States to engage private sector entities with a strong influence on the behaviour and attitudes of youth, including the entertainment industry, civil society and other relevant actors, to promote healthy lifestyles;

6. *Encourages* relevant entities to raise public awareness and inspire debate in youth forums and the media on the risks and harms of illicit drugs and other substances of abuse;

7. *Encourages* Member States to conduct activities to prevent the use of illicit drugs, in conjunction with efforts to prevent the underage use of any substance with potential for abuse, in accordance with the Declaration on the Guiding Principles of Drug Demand Reduction;<sup>23</sup>

8. *Urges* Member States to be aware that social exclusion contributes to drug abuse, poor health, possible negative behaviour and criminal activities and that it is important to attend to the basic well-being of individuals in need, respecting their human rights and dignity, in order to effectively reduce the use of illicit drugs;

9. *Encourages* Member States to repeat universal prevention interventions during different stages of childhood and adolescence in order to reinforce the original goals and achieve significant and sustainable impact;

10. *Also encourages* Member States to make use of the potential of young people as active stakeholders and partners in developing and implementing drug abuse prevention interventions in order to increase the effectiveness and credibility of those interventions among target groups;

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<sup>22</sup> General Assembly resolution 217 A (III).

<sup>23</sup> General Assembly resolution S-20/3, annex.

11. *Urges* Member States that have not yet done so to establish monitoring systems to identify, at an early stage, emerging trends in the use of drugs and to share information in broad cooperation with other Member States, the United Nations Office on Drugs and Crime and all relevant stakeholders;

12. *Urges* the United Nations Office on Drugs and Crime to gather national and international experiences and the best available information on evidence-based prevention activities and instruments for the early identification of young people vulnerable to the use of illicit drugs;

13. *Also urges* the United Nations Office on Drugs and Crime to facilitate the sharing, among Member States, of best practices in the area of drug abuse prevention and provide expert advice to Member States in this area, upon request;

14. *Encourages* the United Nations Office on Drugs and Crime, in its capacity-building role, to continue to establish and strengthen functional partnerships, including with civil society, the private sector, entities of the United Nations system, in particular the World Health Organization, and other regional and international organizations.

### **Resolution 53/3**

#### **Strengthening national capacities in the administration and disposal of property and other assets confiscated in cases of drug trafficking and related offences**

*The Commission on Narcotic Drugs,*

*Recalling* that, in accordance with article 5, paragraph 2, of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,<sup>24</sup> the parties to the Convention shall adopt such measures as may be necessary to enable their competent authorities to identify, trace and freeze or seize proceeds, property or instrumentalities derived from offences established in the Convention, for the purpose of eventual confiscation,

*Recalling also* that, in accordance with article 12, paragraph 1, of the United Nations Convention against Transnational Organized Crime,<sup>25</sup> the parties to the Convention shall adopt, to the greatest extent possible within their domestic legal systems, such measures as may be necessary to enable confiscation of property, equipment or other instrumentalities used in or destined for use in offences covered by the Convention,

*Recalling further* that, in accordance with article 31, paragraph 3, of the United Nations Convention against Corruption,<sup>26</sup> the States parties to the Convention shall adopt, in accordance with their domestic law, such legislative and other measures as may be necessary to regulate the administration by the competent authorities of frozen, seized or confiscated property, equipment or other

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<sup>24</sup> United Nations, *Treaty Series*, vol. 1582, No. 27627.

<sup>25</sup> *Ibid.*, vol. 2225, No. 39574.

<sup>26</sup> *Ibid.*, vol. 2349, No. 42146.

instrumentalities used in or destined for use in offences established in the Convention,

*Considering* that, in the measures to enhance international cooperation to counter the world drug problem,<sup>27</sup> adopted by the General Assembly at its twentieth special session, Member States recognized the need to promote and develop effective mechanisms for the pursuit, freezing, seizure and confiscation of property obtained through or derived from illicit activities, so as to avoid its use by criminals,

*Having regard* to the Political Declaration on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,<sup>28</sup> in which Member States recognized that, despite past efforts, illicit crop cultivation and illicit drug production, manufacturing, distribution and trafficking had been consolidated into a criminally organized industry generating enormous amounts of money, laundered through the financial and non-financial sectors and that it was therefore necessary to strengthen measures aimed at dismantling such criminal organizations and confiscating their illicit proceeds and train law enforcement and judicial personnel to utilize the tools available in the international framework,

*In conformity with* the Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,<sup>29</sup> in which it was recommended that Member States adopt or strengthen legal measures providing for the identification, freezing, seizure and confiscation of property that constitutes proceeds of drug trafficking and related offences,

*Reaffirming* its resolution 52/9, entitled “Strengthening measures against the laundering of assets derived from drug trafficking and related offences”, in which it called upon Member States to complement national and international measures against the laundering of assets derived from drug trafficking, with the aim of weakening the economic power of criminal organizations engaged in drug trafficking and related offences, and to promote the sharing of information between law enforcement authorities, and in which it urged Member States to enable national institutions specializing in financial intelligence to facilitate the exchange of information with relevant international partners,

*Aware* that efforts to counter the world drug problem require increasingly greater resources and that it is therefore necessary to maximize the operation of the different financing instruments, including mechanisms for the administration and disposal of confiscated property,

1. *Invites* Member States to review periodically their regulatory and institutional frameworks in order to optimize investigations into assets related to drug trafficking and related offences for the purpose of ensuring greater effectiveness in law enforcement and judicial measures to pursue criminal organizations engaged in the commission of such offences and for the purpose of confiscation when acting at the request of another party, in accordance with

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<sup>27</sup> General Assembly resolutions S-20/4 A to E.

<sup>28</sup> A/64/92-E/2009/98, sect. II.A.

<sup>29</sup> *Ibid.*

article 5, paragraph 5, of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;<sup>30</sup>

2. *Also invites* Member States to cooperate in identifying assets and property that may have been acquired through drug trafficking and related offences, to exchange information on such assets and property and to assist in the seizure and freezing of such assets and property, including by fully complying with their international obligations in that regard;

3. *Further invites* Member States to adopt, consistent with article 12 of the United Nations Convention on Transnational Organized Crime<sup>31</sup> and to the greatest extent possible within their domestic legal systems, such measures as may be necessary to enable confiscation, in cases in which proceeds of crime have been transformed or converted, in part or in full, into other property, of that property up to the assessed value of the proceeds of crime stemming from the offence;

4. *Encourages* Member States to undertake awareness-raising campaigns and training programmes aimed at law enforcement authorities and judicial officers with a view to emphasizing the importance of the investigation of assets in cases of drug trafficking and related offences;

5. *Invites* Member States, where appropriate, to improve or institutionalize their mechanisms for the administration of property seized and confiscated in the framework of legal proceedings in cases of drug trafficking and related offences, in order to maximize the administration and disposal of the resources generated, in accordance with national legal procedures, including the establishment of efficient comprehensive records of seized and confiscated assets;

6. *Also invites* Member States to consider, consistent with their national legislation, the possibility of using confiscated resources to support the activities of law enforcement and other agencies, including those specializing in the treatment and rehabilitation of drug addicts.

## **Resolution 53/4**

### **Promoting adequate availability of internationally controlled licit drugs for medical and scientific purposes while preventing their diversion and abuse**

*The Commission on Narcotic Drugs,*

*Stressing the importance* of promoting adequate availability of internationally controlled licit drugs for medical and scientific purposes while preventing their diversion and abuse,

*Recalling* the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,<sup>32</sup> in which the parties recognized that the medical use of narcotic drugs continued to be indispensable for the relief of pain and suffering and that

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<sup>30</sup> United Nations, *Treaty Series*, vol. 1582, No. 27627.

<sup>31</sup> *Ibid.*, vol. 2225, No. 39574.

<sup>32</sup> United Nations, *Treaty Series*, vol. 976, No. 14152.

adequate provision must be made to ensure the availability of narcotic drugs for such purposes,

*Recalling also* the Convention on Psychotropic Substances of 1971,<sup>33</sup> in which it is recognized that the use of psychotropic substances for medical and scientific purposes is indispensable and that their availability for such purposes should not be unduly restricted,

*Recalling further* Economic and Social Council resolution 2005/25 of 22 July 2005, on treatment of pain using opioid analgesics,

*Recalling* its resolution 48/5, in which it called for increased international cooperation to counter the diversion of substances via the Internet and their abuse,

*Affirming* that the international drug control conventions seek to achieve a balance between ensuring the availability of narcotic drugs and psychotropic substances under international control for medical and scientific purposes and preventing their diversion and abuse,

*Reaffirming* the important role entrusted to the International Narcotics Control Board to ensure, in cooperation with Governments, the availability of narcotic drugs for medical and scientific purposes and prevent illicit trafficking in and use of drugs, as set out in article 9, paragraph 4, of the 1961 Convention as amended by the 1972 Protocol,

*Concerned* that, although there is sufficient supply of licit opiate raw materials to meet global requirements, as highlighted in the annual reports of the International Narcotics Control Board for 2008<sup>34</sup> and 2009,<sup>35</sup> access to opioid-based medications is non-existent or almost non-existent in many countries and regions,

*Noting* the concern expressed by the International Narcotics Control Board in its annual report for 2009 that some Governments need to take specific measures to ensure that their populations have adequate access to opioid-based medications in line with the international drug control conventions,

*Underscoring* the fact that the submission of estimates and statistical returns by Governments is critical to the actions taken by the International Narcotics Control Board for the implementation of treaty provisions regarding the adequate availability of internationally controlled licit drugs for medical and scientific purposes,

*Acknowledging* that an increase in the licit supply of internationally controlled substances may raise the risk of diversion and abuse of those substances and that in its annual reports for 2008 and 2009, the International Narcotics Control Board encouraged Governments to increase their vigilance regarding trafficking in and abuse of prescription drugs containing internationally controlled substances and consider enacting enhanced laws to counter trafficking in such prescription drugs,

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<sup>33</sup> Ibid., vol. 1019, No. 14956.

<sup>34</sup> *Report of the International Narcotics Control Board for 2008* (United Nations publication, Sales No. E.09.XI.1).

<sup>35</sup> *Report of the International Narcotics Control Board for 2009* (United Nations publication, Sales No. E.10.XI.1).

*Noting* the medical and scientific needs for internationally controlled substances worldwide to be met within a regulatory and legal framework that prevents their diversion and abuse,

*Also noting* that the survey of Governments carried out by the International Narcotics Control Board in 2007 identified concern about addiction to narcotic drugs to be the primary factor in the underutilization of essential medicines, followed by the factors of insufficient training of health-care professionals and the existence of restrictive laws that did not take into account the need to ensure the medical availability of narcotic drugs,<sup>36</sup>

*Further noting* that in the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,<sup>37</sup> Member States called for continued cooperation among Member States, the International Narcotics Control Board and the World Health Organization to ensure the adequate availability of narcotic drugs and psychotropic substances under international control, including opiates, for medical and scientific purposes, while concurrently preventing their diversion into illicit channels, pursuant to the international drug control conventions,

*Acknowledging* the efforts of the World Health Organization, in consultation with the International Narcotics Control Board, to implement activities, under the Access to Controlled Medications Programme, to address impediments to the availability of internationally controlled substances for medical purposes,

*Noting with appreciation* the efforts of the International Narcotics Control Board and the World Health Organization to develop guidelines on estimating requirements for internationally controlled substances,

*Also noting with appreciation* the efforts of non-governmental organizations and civil society in continuing to highlight the importance of the issue of adequate availability of internationally controlled substances for medical and scientific purposes as set out in the international drug control conventions,

1. *Decides* that the agenda for the fifty-fourth session of the Commission will include an agenda item on adequate availability of narcotic drugs and psychotropic substances for medical and scientific purposes in accordance with the international drug control treaties, in order to examine the impediments to adequate availability encountered and the efforts to prevent the diversion and abuse of those drugs and substances;

2. *Calls upon* Member States to fulfil in a timely manner their reporting obligations to the International Narcotics Control Board and the Secretary-General, as appropriate, concerning the use of internationally controlled substances for medical and scientific purposes and the diversion of, trafficking in and abuse of those substances, as required under the international drug control treaties;

3. *Encourages* Member States to regularly examine, and report to the International Narcotics Control Board for inclusion in its annual report, trends in

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<sup>36</sup> *Report of the International Narcotics Control Board on Follow-up to the Twentieth Special Session of the General Assembly* (United Nations publication, Sales. No. E.09.XI.7), paras. 10-12.

<sup>37</sup> A/64/92-E/2009/98, sect. II.A.

their countries in the use of internationally controlled licit substances for medical and scientific purposes, as well as trends in the diversion of, trafficking in and abuse of those substances and to take appropriate action, if necessary;

4. *Supports* recommendation 39 of the International Narcotics Control Board contained in its annual report for 2009,<sup>38</sup> in which the Board called on Governments to promote access to and rational use of narcotic drugs and psychotropic substances, to adopt measures against unlawful medical practice and to ensure that domestic distribution channels were adequately controlled, and Board recommendation 40, in which the Board requested Governments of countries in which factors such as knowledge limitations and administrative barriers stricter than the control measures required under the Single Convention on Narcotic Drugs of 1961<sup>39</sup> affected the availability of opioid analgesics to identify the impediments in their countries to the access and adequate use of opioid analgesics for the treatment of pain and to take steps to improve the availability of those narcotic drugs for medical purposes, in accordance with the pertinent recommendations of the World Health Organization;

5. *Encourages* Member States to include in public awareness campaigns, as appropriate, the issue of the increased risk of diversion of narcotic drugs and psychotropic substances and their abuse, particularly among young people;

6. *Also encourages* Member States, where necessary, to educate regulators and health-care professionals, including through targeted awareness-raising campaigns, to recognize that the medical use of narcotic drugs continues to be indispensable for the relief of pain and suffering and that adequate provision must be made to ensure the availability of narcotic drugs for such purposes, taking into account the pertinent recommendations of the World Health Organization and in line with the international drug control conventions;

7. *Supports* recommendation 22 of the International Narcotics Control Board contained in its annual report for 2009, in which the Board encouraged Governments concerned to introduce or expand programmes for monitoring the domestic distribution of prescription drugs and recommended that in order to reduce the problem of improper prescription practices, Governments should consider carrying out programmes, to be targeted appropriately, to inform health-care professionals and the general public of the dangers of misusing prescription drugs containing narcotic drugs and psychotropic substances; and noted that programmes for medical professionals should include information on the risk of diversion, including secondary access to prescribed medications by family members and friends of the intended user, appropriate prescription practices and attempts by individuals to illegally obtain prescriptions from multiple doctors through fraudulent methods (“doctor shopping”);

8. *Invites* the International Narcotics Control Board, as in previous years, to include in its annual report for 2010, to be presented to the Commission at its fifty-fourth session, information on the consumption of narcotic drugs and psychotropic substances used for medical and scientific purposes worldwide, including an

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<sup>38</sup> *Report of the International Narcotics Control Board for 2009* (United Nations publication, Sales No. E.10.XI.1).

<sup>39</sup> United Nations, *Treaty Series*, vol. 520, No. 7515.

analysis of impediments to their adequate availability and actions to be taken to overcome those impediments and, when available, specific information about the status of and progress made by countries;

9. *Requests* the United Nations Office on Drugs and Crime to continue its efforts to ensure the adequate availability of internationally controlled drugs for medical and scientific purposes, cooperating, as appropriate, through the Access to Controlled Medications Programme of the World Health Organization, while continuing its activities to prevent diversion and abuse;

10. *Encourages* Member States to consider working with the International Narcotics Control Board and the United Nations Office on Drugs and Crime to update policies and legislative frameworks, as appropriate, to ensure adequate availability of internationally controlled substances and to prevent the diversion and abuse of those substances, in line with the provisions of the international drug control treaties;

11. *Invites* Member States to ensure that the International Narcotics Control Board and the United Nations Office on Drugs and Crime are funded adequately, as appropriate, to support their activities to ensure adequate availability of narcotic drugs and psychotropic substances for medical and scientific purposes, including the development and implementation of guidelines to assist Governments in estimating their requirements for internationally controlled substances and to address the risk of the diversion and abuse of those substances;

12. *Also invites* Member States to consider ways to leverage existing health and development programmes in countries without adequate availability of narcotic drugs and psychotropic substances for medical and scientific purposes, including by building the capacity of those countries through training;

13. *Recognizes* that the Internet can offer increased access to information about narcotic drugs and psychotropic substances and can lead to the diversion of those substances, and accordingly invites Member States to consider the implementation of the International Narcotics Control Board *Guidelines for Governments on Preventing the Illegal Sale of Internationally Controlled Substances through the Internet*.<sup>40</sup>

## **Resolution 53/5**

### **Strengthening regional cooperation between Afghanistan and transit States and the contribution of all affected countries to counter-narcotics efforts, based on the principle of common and shared responsibility**

*The Commission on Narcotic Drugs,*

*Reaffirming* the commitments assumed by Member States in the Political Declaration adopted by the General Assembly at its twentieth special session<sup>41</sup> and

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<sup>40</sup> United Nations publication, Sales No. E.09.XI.6.

<sup>41</sup> General Assembly resolution S-20/2, annex.



the measures to enhance international cooperation to counter the world drug problem,<sup>42</sup>

*Also reaffirming* the commitments assumed by Member States in the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,<sup>43</sup> adopted during the high-level segment of its fifty-second session,

*Recalling* Economic and Social Council resolutions 2001/16 of 24 July 2001, 2002/21 of 24 July 2002, 2003/34 and 2003/35 of 22 July 2003, 2005/27 of 22 July 2005 and 2008/27 of 23 July 2008 and other relevant resolutions on international assistance to States affected by the transit of illicit drugs,

*Also recalling* its resolution 52/2, entitled “Strengthening the law enforcement capacity of the main transit States neighbouring Afghanistan, based on the principle of shared responsibility”,

*Aware* that the illicit cultivation and production of and trafficking in drugs originating in Afghanistan, as part of the world drug problem, have an impact on political stability, democratic institutions, security and the rule of law,

*Welcoming* the crucial work and leading role of the United Nations Office on Drugs and Crime in mobilizing and coordinating international efforts to counter the threat posed by illicit drugs originating in Afghanistan,

*Noting with concern* that in the *Afghanistan Opium Survey 2009*, published by the United Nations Office on Drugs and Crime, it is stated that opium production in Afghanistan in 2009 amounted to 6,900 tons, representing 95 per cent of total opium production in major producing countries,

*Acknowledging* that the cultivation and production of opium in Afghanistan have declined over the past two years and that, as noted in the *Afghanistan Opium Survey 2009*, the number of opium poppy-free provinces increased from eighteen to twenty, resulting in a reduction of 22 per cent in opium poppy cultivation, owing to stronger governance, more aggressive counter-narcotics action and the promotion of legitimate farming,

*Noting with concern* that, as reflected in the annual report of the International Narcotics Control Board for 2009,<sup>44</sup> Afghanistan remains the main supplier of illicit opiates, in quantities far greater than global demand, and that the ongoing market correction should be consolidated by sufficient levels of support in accordance with the Afghanistan national development strategy and the national drug control strategy,

*Acknowledging* that transit States are faced with multifaceted challenges related to the increasing amount of illicit drugs transiting through their territory as a result of the increasing supply of and demand for illicit drugs in some markets,

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<sup>42</sup> General Assembly resolutions S-20/4 A to E.

<sup>43</sup> A/64/92-E/2009/98, sect. II.A.

<sup>44</sup> *Report of the International Narcotics Control Board for 2009* (United Nations publication, Sales No. E.10.X.1).

*Concerned* that the bulk of the illicit drugs originating in Afghanistan is smuggled into and through countries neighbouring Afghanistan before reaching other countries of destination,

*Also concerned* about the smuggling of precursor chemicals into Afghanistan, bearing in mind the relevant instruments of the United Nations,

*Emphasizing* that, based on the principle of common and shared responsibility, all countries, including countries of destination, should play a role in assisting, in an effective and efficient manner, Afghanistan and the most affected transit States neighbouring Afghanistan,

*Bearing in mind* that the international community has progressively acknowledged the importance of a regional approach in tackling the illicit production of and trafficking in drugs originating in Afghanistan,

*Acknowledging* that the principle of common and shared responsibility in promoting cross-border cooperation in countering narcotics has been highlighted by the Paris Pact initiative and the Rainbow Strategy, for both of which stronger regional and international support is sought,

*Welcoming* the third phase of the Paris Pact initiative and the operational outcome it is to deliver,

*Commending* the activities carried out in the framework of the Triangular Initiative, involving Afghanistan, Iran (Islamic Republic of) and Pakistan, to promote, as a regional effort, cooperation to counter trafficking in narcotic drugs originating in Afghanistan,

*Also commending* the positive results that have already been achieved by States in the region through the relevant international structures, in particular, the Targeted Anti-trafficking Regional Communication, Expertise and Training (TARCET) initiative, resulting in concrete intelligence exchange and seizures of precursor chemicals,

*Taking note* of the decisions taken by the Governments of Afghanistan, Iran (Islamic Republic of) and Pakistan at the third ministerial meeting of the Triangular Initiative, held in Vienna on 27 October 2009, including on strengthening the role of the joint planning cell established in Tehran for the exchange of relevant information and intelligence, on establishing border liaison offices and on conducting joint operations against drug traffickers, which have led to significant seizures of illicit drugs and arrests of traffickers,

*Also taking note* of positive decisions taken at the eighth meeting of the States of the memorandum of understanding on subregional drug control cooperation, held in Almaty, Kazakhstan, on 9 December 2009, to tackle the problem of illicit drugs originating in Afghanistan,

*Welcoming* the announcement by the Government of Pakistan that it will host the fourth ministerial meeting of the Triangular Initiative in 2010,

1. *Invites* financial institutions and requests relevant international organizations and all countries concerned to provide technical and financial assistance, facilities and other needed support to Afghanistan and the most affected

transit States, including by improving the law enforcement capacity of those States, taking into account the seriousness of the problem;

2. *Commends* the achievements made within the framework of the Triangular Initiative, involving Afghanistan, Iran (Islamic Republic of) and Pakistan, which have resulted in the establishment of a joint planning cell for the exchange of law enforcement information and the planning of joint operations against drug trafficking networks operating across the region, the establishment of border liaison offices and the conduct of joint operations;

3. *Also commends* the achievements of the Central Asian Regional Information and Coordination Centre, located in Almaty, Kazakhstan, in combating trafficking in narcotic drugs, psychotropic substances and their precursors, and encourages closer cooperation between the Centre and the joint planning cell of the Triangular Initiative, located in Tehran, in combating trafficking in narcotic drugs, psychotropic substances and their precursors, as such cooperation would enable the wider region to undertake regional law enforcement information exchange and counter-narcotic operations to dismantle criminal networks, without compromising the ability of the two entities to freely share law enforcement information among their respective members;

4. *Encourages* Member States to enhance coordination through existing regional mechanisms, in particular through the Paris Pact initiative, in order to strengthen cross-border cooperation and information exchange with a view to countering trafficking in illicit drugs originating in Afghanistan;

5. *Urges* all Member States and the United Nations Office on Drugs and Crime to provide technical assistance to support the Triangular Initiative and the Central Asian Regional Information and Coordination Centre in their efforts to combat trafficking in narcotic drugs, psychotropic substances and their precursors, including within the framework of the Paris Pact initiative and the Rainbow Strategy;

6. *Calls upon* Member States to make contributions to activities aimed at reducing illicit opium poppy cultivation in Afghanistan, including alternative development, support for good governance, interdiction, eradication and demand reduction activities, and to provide financial and technical assistance to the States most affected by drug trafficking, subject to the appropriate controls;

7. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission, at its fifty-fourth session, on the implementation of the present resolution.

## Resolution 53/6

### **Follow-up to the promotion of best practices and lessons learned for the sustainability and integrality of alternative development programmes and the proposal to organize an international workshop and conference on alternative development**

*The Commission on Narcotic Drugs,*

*Bearing in mind* the provisions of the Single Convention on Narcotic Drugs of 1961,<sup>45</sup> that Convention as amended by the 1972 Protocol,<sup>46</sup> the Convention on Psychotropic Substances of 1971<sup>47</sup> and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,<sup>48</sup>

*Recalling* the Political Declaration adopted by the General Assembly at its twentieth special session,<sup>49</sup> the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development,<sup>50</sup> the Universal Declaration of Human Rights,<sup>51</sup> the United Nations Millennium Declaration<sup>52</sup> and, in particular, the Millennium Development Goals of eradicating extreme poverty and hunger (goal 1) and ensuring environmental sustainability (goal 7),<sup>53</sup>

*Stressing* the commitments contained in the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,<sup>54</sup> adopted during the high-level segment of its fifty-second session,

*Recalling* Economic and Social Council resolution 2008/26 of 24 July 2008, entitled “Promoting sustainability and integrality in alternative development as an important part of drug control strategy in States where illicit crops are grown to produce drugs”, in which the Council recognized the relevance of alternative development and preventive alternative development, as appropriate, and the best practices and lessons learned in sustainable alternative livelihood development in Thailand,

*Also recalling* its resolution 52/6, entitled “Promoting best practices and lessons learned for the sustainability and integrality of alternative development programmes”, in which it requested the United Nations Office on Drugs and Crime, in collaboration with relevant international bodies, to continue promoting best practices and lessons learned from alternative development programmes in various countries, including by organizing an international conference on that topic in 2010,

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<sup>45</sup> United Nations, *Treaty Series*, vol. 520, No. 7515.

<sup>46</sup> *Ibid.*, vol. 976, No. 14152.

<sup>47</sup> *Ibid.*, vol. 1019, No. 14956.

<sup>48</sup> *Ibid.*, vol. 1582, No. 27627.

<sup>49</sup> General Assembly resolution S-20/2, annex.

<sup>50</sup> General Assembly resolution S-20/4 E.

<sup>51</sup> General Assembly resolution 217 A (III).

<sup>52</sup> General Assembly resolution 55/2.

<sup>53</sup> A/56/326, annex.

<sup>54</sup> A/64/92-E/2009/98, sect. II.A.

1. *Acknowledges* that alternative development<sup>55</sup> is an important component in generating and promoting lawful, viable and sustainable economic alternatives to the illicit cultivation of drug crops, that it is one of the key components of policies and programmes for reducing illicit drug production and that it is an integral part of the efforts made by Governments to achieve sustainable development within their societies;

2. *Recognizes* the role played by developing countries in sharing best practices and in promoting and strengthening cooperation on integral and sustainable alternative development, which includes in some cases preventive alternative development, including cross-continental and interregional cooperation and subregional and regional technical cooperation;

3. *Notes with appreciation* the international expert group seminar and study tour held in Peru in July 2009 and organized in the framework of the Global Partnership on Alternative Development, with the support of the United Nations Office on Drugs and Crime, to promote South-South cooperation, on which occasion participants from Asia and South America shared useful lessons learned and techniques proven to be effective in reducing the cultivation of illicit drug crops, with a view to their eventual eradication, while securing a stable and fair livelihood for farmers;

4. *Takes note* of the report of the Executive Director of the United Nations Office on Drugs and Crime, prepared pursuant to Commission resolution 52/6, entitled “Promoting best practices and lessons learned for the sustainability and integrity of alternative development programmes”,<sup>56</sup> in which best practices and lessons learned with regard to alternative development strategies, including preventive alternative development strategies, are highlighted;

5. *Welcomes* the proposal of Peru and Thailand to jointly host an international workshop, to be held in Thailand in November 2010, consisting of visits to various alternative development sites and discussions on best practices and lessons learned in alternative development with practitioners in the field, back to back with an international conference on alternative development among all stakeholders, to be organized in close collaboration with the United Nations Office on Drugs and Crime;

6. *Invites* Member States and relevant parties to actively participate in the above-mentioned international workshop and conference on alternative development, details of which will be circulated by the Secretariat in due course, and requests the Secretariat to report to the Commission at its fifty-fourth session on the outcome of those meetings including recommendations.

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<sup>55</sup> In accordance with Economic and Social Council resolutions 2006/33, 2007/12 and 2008/26, the concept of alternative development includes preventive alternative development.

<sup>56</sup> E/CN.7/2010/7 and Corr.1.

## Resolution 53/7

### **International cooperation in countering the covert administration of psychoactive substances related to sexual assault and other criminal acts**

*The Commission on Narcotic Drugs,*

*Reaffirming* its resolution 52/8, on the use of pharmaceutical technology to counter drug-facilitated sexual assault, in which it urged Member States to adopt measures to address the emerging problem of the use of substances to facilitate sexual assault,

*Recalling* the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime,<sup>57</sup> in which it was noted that trend analysis was essential to highlighting problems and that improved national capacity to collect data was needed to enhance the international community's responses to crime and illicit drugs,

*Reaffirming* the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime, which provides for strengthening the capacity of Member States to implement victim assistance programmes for the most vulnerable segments of society, including women and children,

*Noting* that the World Health Organization, in its *Guidelines for Medico-Legal Care for Victims of Sexual Violence*, issued in 2003, provided practical guidance for the assessment and detection of sexual violence, including drug-facilitated sexual assault, and for the treatment and care of victims of such violence,

*Concerned* that several countries have reported to the International Narcotics Control Board an increase in the non-medical use of psychotropic substances, in particular sedatives and tranquillizers, and expressed concern about the increased abuse of so-called "date-rape drugs", which are in some cases administered by criminals to their intended victims before committing sexual assault or other types of crime,

*Acknowledging* that the International Narcotics Control Board, in its annual report for 2009,<sup>58</sup> drew the attention of Governments to the increasing use of psychoactive substances to facilitate sexual assault and other crimes,

*Noting* that the European Monitoring Centre for Drugs and Drug Addiction, in its 2008 report entitled "Sexual assaults facilitated by drugs or alcohol", noted that the full scale of drug-facilitated sexual assault remained unknown and that better monitoring of drug-facilitated sexual assault was an essential first step in addressing the problem,

*Recalling* its resolution 52/8, in which it urged Member States to adopt measures to enhance public awareness and invited industries concerned to cooperate in developing formulations with safety features, such as dyes and flavourings, to

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<sup>57</sup> Economic and Social Council resolution 2007/12, annex.

<sup>58</sup> *Report of the International Narcotics Control Board for 2009* (United Nations publication, Sales No. E.10.XI.1), paras. 260-268.

alert potential victims to the contamination of their drinks, without affecting the bioavailability of the active ingredients in legitimate drugs,

*Mindful* of the concern about the use of psychoactive substances, whether under international control or not, such as central nervous system depressants, benzodiazepines, ketamine, *gamma*-hydroxybutyric acid and, to a lesser extent, cannabis, cocaine, “ecstasy” and amphetamines, whether or not in association with alcohol, which may alter the victim’s degree of consciousness, state of awareness and judgement, as a means to facilitate sexual assault or other crimes,

*Acknowledging* that the International Narcotics Control Board, in its annual report for 2008,<sup>59</sup> assessed the measures taken by Member States to control ketamine in accordance with Commission resolution 49/6, entitled “Listing of ketamine as a controlled substance”, and Commission resolution 50/3, entitled “Responding to the threat posed by the abuse and diversion of ketamine”,

*Welcoming* the fact that the World Health Organization has decided to carry out a critical review of ketamine and *gamma*-hydroxybutyric acid and its precursors *gamma*-butyrolactone and 1,4-butanediol,

*Recognizing* that it is important to invest in the capacity of forensic laboratories and the development of high-quality methodologies for analysing sexual assault or other criminal acts in which the administration of psychoactive substances is suspected so as to understand the full magnitude and scope of the phenomenon and to respond to it, in terms of both the judicial system and preventive health care,

*Recognizing* also the importance of integrating laboratories and providing scientific support to drug control frameworks and the importance of treating analytical data as a primary source of information worldwide, for example in early warning systems on new drug trends, in accordance with Commission resolution 50/4, entitled “Improving the quality and performance of drug analysis laboratories”,

*Mindful* of the need to provide victims of sexual assault or other criminal acts with adequate and professional assistance and to encourage victims to make use of such assistance,

1. *Urges* States to combat the new phenomenon of drug-facilitated sexual assault by taking steps to raise public awareness, in particular among the most vulnerable segments of society, health professionals and law enforcement agencies, of the *modi operandi* of the assailants and of the means of recourse available to the victims, as well as of the critical need for the victims to seek, as soon as possible, assistance and testing services, and encourages States to forward any relevant experiences, information and research findings to the International Narcotics Control Board and the United Nations Office on Drugs and Crime;

2. *Urges* States that have not yet done so to establish awareness and sensitivity training programmes for, among others, social, medical and law enforcement professionals who assist victims, in order to ensure the provision of adequate and professional assistance, including targeted laboratory analysis for

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<sup>59</sup> *Report of the International Narcotics Control Board for 2008* (United Nations publication, Sales No. E.09.XI.1), paras. 281-289.

certain drugs suspected of being used to facilitate sexual assault (so-called “date-rape drugs”);

3. *Urges* the relevant international organizations, including the International Narcotics Control Board, the United Nations Office on Drugs and Crime and the World Health Organization, to gather information and further analyse the phenomenon of drug-facilitated sexual assault or other criminal acts, with a view to developing common definitions and standards, in particular international guidelines for forensic analyses to identify the presence of psychoactive substances used in connection with sexual assault or other criminal acts, with due regard for the initiatives and legal provisions of States;

4. *Urges* States to consider making recommendations about formulations to the pharmaceutical industries concerned with a view to preventing the covert administration of medicines by alerting the potential victim and by making it more complicated for the assailant, without affecting the availability of the medicines or their active ingredients, and encourages Member States to exchange any relevant experiences and publicly available research findings;

5. *Invites* States and regional organizations to promote research into the administration of psychoactive substances for sexual assault or other criminal purposes with a view to measuring the extent of the phenomenon, ascertaining the *modi operandi* of assailants and identifying the psychoactive substances used, whether under international control or not;

6. *Draws the attention* of States to the possibility that national legislation or relevant guidelines may take into account aggravating circumstances in cases where psychoactive substances are covertly administered to commit sexual assault;

7. *Requests* the Secretary-General to report to it, at its fifty-fifth session, on the implementation of the present resolution.

## **Resolution 53/8**

### **Strengthening international cooperation in countering the world drug problem focusing on illicit drug trafficking and related offences**

*The Commission on Narcotic Drugs,*

*Mindful* of the provisions of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,<sup>60</sup> the Convention on Psychotropic Substances of 1971<sup>61</sup> and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,<sup>62</sup> as well as the provisions of the United Nations Convention against Transnational Organized Crime and the Protocols thereto<sup>63</sup> and the United Nations Convention against Corruption,<sup>64</sup>

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<sup>60</sup> United Nations, *Treaty Series*, vol. 976, No. 14152.

<sup>61</sup> *Ibid.*, vol. 1019, No. 14956.

<sup>62</sup> *Ibid.*, vol. 1582, No. 27627.

<sup>63</sup> *Ibid.*, vols. 2225, 2237, 2241 and 2326, No. 39574.

<sup>64</sup> *Ibid.*, vol. 2349, No. 42146.



*Recalling* the provisions of the 1988 Convention relating to the links between illicit traffic and other related organized crime activities,

*Welcoming* the fact that the General Assembly, in its resolution 64/182 of 18 December 2009, on international cooperation against the world drug problem, adopted the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,<sup>65</sup> as adopted during the high-level segment of the fifty-second session of the Commission on Narcotic Drugs,

*Bearing in mind* its resolutions 51/11 and 52/9, General Assembly resolutions 64/179 of 18 December 2009 and 64/182, and other applicable resolutions of relevant United Nations bodies,

*Recognizing* the need to strengthen national and international measures for improved cooperation in facing the growing complexity, diversification and evolution of drug trafficking and its linkages with related offences, as set out in paragraph 28 of the Political Declaration and Plan of Action,

*Reaffirming* that, in order to deal with all aspects of the world drug problem, there is a need for a political commitment to reduce the supply of and demand for illicit drugs, within the framework of an integrated and balanced overall drug control strategy and consistent with the commitments set out in the Political Declaration adopted by the General Assembly at its twentieth special session<sup>66</sup> and reaffirmed in the Political Declaration and Plan of Action,

*Recognizing* the importance of strengthening international, transregional and regional cooperation to counter the world drug problem and other criminal activities related to drugs, as well as the need to reinforce the coordination of United Nations action, including through cooperation with specialized agencies, on the basis of a common and shared responsibility,

*Welcoming* the progress achieved by Member States within the context of a number of regional programmes on combating trafficking in narcotic drugs and chemical precursors,

*Noting* the national efforts to assist transregional cooperation in this field, notably the discussions at the regional meetings of heads of national drug law enforcement agencies, in particular on the arrangements for improving cooperation between the States of Latin America and the Caribbean and the States of West Africa with regard to combating drug trafficking,

*Recognizing* the important work carried out by the United Nations Office on Drugs and Crime in countering drug trafficking, organized crime and corruption and, in particular, in the area of capacity-building and assisting Member States,

*Acknowledging* the significant challenges faced and sacrifices faced by States in countering illicit drug production and trafficking,

1. *Reaffirms* that the world drug problem remains a common and shared responsibility that requires effective and increased international cooperation and

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<sup>65</sup> A/64/92-E/2009/98, sect. II.A.

<sup>66</sup> General Assembly resolution S-20/2, annex.

demands an integrated, multidisciplinary, mutually reinforcing and balanced approach in supply and demand reduction strategies;

2. *Also reaffirms* that the world drug problem has to be addressed in full conformity with the purposes and the principles of the Charter of the United Nations, international law and the Universal Declaration of Human Rights<sup>67</sup> and, in particular, with full respect for the sovereignty and territorial integrity of States, the principle of non-intervention in the internal affairs of States, all human rights, fundamental freedoms, the inherent dignity of all individuals and the principles of equal rights and mutual respect among States;

3. *Emphasizes*, in the preceding context, the urgent need for Member States to strengthen international and regional cooperation in order to counter the threat posed by the world drug problem, including the illicit cultivation of drug crops and the production of and trafficking in illicit drugs and their precursors, taking into consideration their links to corruption and other forms of organized crime, including money-laundering, trafficking in persons, trafficking in firearms and, in some cases, the financing of terrorism, and their negative impact on the stability, security and sovereignty of States;

4. *Recalls* that the three international drug control conventions, as well as the United Nations Convention against Transnational Organized Crime,<sup>68</sup> the United Nations Convention against Corruption<sup>69</sup> and other relevant international instruments, constitute the international framework for countering drug trafficking and transnational organized crime, and encourages all Member States that have not yet done so to consider taking measures to ratify or accede to those instruments and to adopt appropriate measures to effectively implement their provisions at the national level;

5. *Urges* States to take effective measures at the national, regional and international levels to coordinate their actions and intensify their cooperation in order to prevent and act against drug trafficking and related criminal offences, both national and transnational;

6. *Calls for* increased technical and financial assistance to be provided to Member States, in particular to those most directly affected by the illicit production of and trafficking in drugs in order to ensure that those States have the capacity to prevent and respond to the threat mentioned in paragraph 3 above;

7. *Invites* Member States to support the regional programmes for combating drug trafficking that are supported by the United Nations Office on Drugs and Crime;

8. *Reaffirms* that the United Nations Office on Drugs and Crime, including through its country and regional offices, has an important part to play in reinforcing the capacity of States to combat drug trafficking and transnational organized crime;

9. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission at its fifty-fifth session on the implementation of the present resolution.

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<sup>67</sup> General Assembly resolution 217 A (III).

<sup>68</sup> United Nations, *Treaty Series*, vol. 2225, No. 39574.

<sup>69</sup> *Ibid.*, vol. 2349, No. 42146.

## Resolution 53/9

### **Achieving universal access to prevention, treatment, care and support for drug users and people living with or affected by HIV**

*The Commission on Narcotic Drugs,*

*Reiterating* the commitments made in the Single Convention on Narcotic Drugs of 1961,<sup>70</sup> in the preamble to which States parties expressed concern for the health and welfare of mankind,

*Noting with great concern* the high prevalence and the alarming rise in the incidence of HIV/AIDS and other blood-borne diseases, including hepatitis C, among injecting drug users,

*Concerned* that the coverage of HIV prevention services is far from adequate in many countries with a high prevalence of injecting drug use,

*Reaffirming* that all countries should strive to achieve the highest attainable standard of physical and mental health for their people, as recognized in the relevant international instruments,

*Concerned* about the challenge posed by co-infection of HIV with tuberculosis and other blood-borne diseases,

*Reiterating* the commitments made in the United Nations Millennium Declaration<sup>71</sup> and the Millennium Development Goals, in particular goal 6, on halting and beginning to reverse the spread of HIV/AIDS by 2015,

*Recalling* the commitments made in the 2005 World Summit Outcome, adopted by the General Assembly by its resolution 60/1 of 16 September 2005,

*Recalling also* the Declaration of Commitment on HIV/AIDS<sup>72</sup> and the Political Declaration on HIV/AIDS,<sup>73</sup> in which Member States committed themselves to pursuing all necessary efforts towards the goal of universal access to comprehensive prevention programmes, treatment, care and support for people with HIV by 2010,

*Reiterating* its commitment to the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,<sup>74</sup> adopted at the high-level segment of its fifty-second session,

*Recalling* the relevant decisions, recommendations and conclusions reached by the Programme Coordinating Board of the Joint United Nations Programme on HIV/AIDS at its twenty-fourth meeting, held in Geneva from 22 to 24 June 2009,

*Taking note* of Economic and Social Council resolution 2009/6 of 24 July 2009, entitled "Joint United Nations Programme on HIV/AIDS (UNAIDS)",

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<sup>70</sup> United Nations, *Treaty Series*, vol. 520, No. 7515.

<sup>71</sup> General Assembly resolution 55/2.

<sup>72</sup> General Assembly resolution S-26/2, annex.

<sup>73</sup> General Assembly resolution 60/262, annex.

<sup>74</sup> A/64/92-E/2009/98, sect. II.A.

*Recognizing* that the full realization of human rights and fundamental freedoms for all is an essential element in the global response to the HIV/AIDS pandemic, including in the areas of prevention, care, support and treatment,<sup>75</sup> and that such a response reduces people's vulnerability to HIV/AIDS and prevents stigma and related discrimination against people living with or at risk of HIV/AIDS,

*Recalling* Human Rights Council resolution 12/24, entitled "Access to medicine in the context of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health", and Council resolution 12/27, entitled "The protection of human rights in the context of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS)", adopted in 2009,

*Reaffirming* the central importance of promoting the involvement of people living with or affected by HIV and drug use in shaping responses to the HIV/AIDS epidemic, as well as of working with civil society, a key partner in the global response to HIV/AIDS, including the response to the spread of HIV/AIDS through drug injection,

*Taking note* of the report of the Executive Director of the United Nations Office on Drugs and Crime entitled "Responding to the prevalence of HIV/AIDS and other blood-borne diseases among drug users",<sup>76</sup>

*Reaffirming* the importance of global coordination efforts to scale up sustainable, intensified and comprehensive HIV/AIDS responses, in a comprehensive and inclusive partnership with people living with HIV, vulnerable groups, the most affected communities, civil society and the private sector, as called for in the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, within the framework of the "Three Ones"<sup>77</sup> principles,

*Welcoming* the XVIII International AIDS Conference, to be held in Vienna in 2010, in which legislators, scientists, academics, policymakers, practitioners, activists and people living with HIV from all over the world will participate,

1. *Urges* the United Nations Office on Drugs and Crime, as the lead partner in the Joint United Nations Programme on HIV/AIDS for the HIV response among injecting drug users and people in prison settings, to work with other relevant entities in the United Nations system, in particular the World Health Organization, as well as other relevant initiatives to fight HIV/AIDS, to intensify their support for Governments, with a view to achieving the goals contained in the United Nations Millennium Declaration<sup>78</sup> and the goals and targets contained in the Declaration of Commitment on HIV/AIDS,<sup>79</sup> the 2005 World Summit Outcome<sup>80</sup> and the Political Declaration on HIV/AIDS;<sup>81</sup>

2. *Requests* the United Nations Office on Drugs and Crime to support national authorities in aligning the policies and clarifying the roles and

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<sup>75</sup> General Assembly resolution 60/262, annex.

<sup>76</sup> E/CN.7/2010/11.

<sup>77</sup> Economic and Social Council resolution 2009/6.

<sup>78</sup> General Assembly resolution 55/2.

<sup>79</sup> General Assembly resolution S-26/2, annex.

<sup>80</sup> General Assembly resolution 60/1.

<sup>81</sup> General Assembly resolution 60/262, annex.

responsibilities of relevant national entities, including drug control and public health agencies, as well as civil society, and to support increased capacity and resources for the provision of comprehensive prevention programmes and treatment, care and related support services, in full compliance with the international drug control conventions and in accordance with national legislation, taking into account all relevant General Assembly resolutions and, when applicable, the *WHO, UNODC, UNAIDS Technical Guide for Countries to Set Targets for Universal Access to HIV Prevention, Treatment and Care for Injecting Drug Users*;<sup>82</sup>

3. *Also requests* the United Nations Office on Drugs and Crime to significantly expand its work with relevant civil society groups in order to address the gap in access to services for people living with or affected by HIV, including drug users, to tackle the issues of stigmatization and discrimination and to support increased capacity and resources for the provision of comprehensive prevention programmes and treatment, care and related support services, in full compliance with the international drug control conventions, in accordance with national legislation, taking into account all relevant General Assembly resolutions and, when applicable, the *WHO, UNODC, UNAIDS Technical Guide for Countries to Set Targets for Universal Access to HIV Prevention, Treatment and Care for Injecting Drug Users* and in line with Economic and Social Council resolution 2009/6 of 24 July 2009;

4. *Encourages* the United Nations Office on Drugs and Crime to continue to emphasize the importance of comprehensive, evidence-based HIV prevention programmes as an essential element of national, regional and international responses, through which actions and policies are tailored to the local profile of the HIV epidemic, and to commit itself to further intensifying efforts in this regard;

5. *Calls upon* Member States to intensify efforts to ensure that a wide range of evidence-based HIV prevention programmes taking account of concentrated epidemics and local circumstances is available in all countries, providing access to correct information and adequate health-care and social services and targeting vulnerable population groups;

6. *Urges* Member States to remove obstacles to the achievement of the goal of universal access to HIV prevention, treatment, care and related support services so that people living with HIV, or at elevated risk of contracting HIV, including drug users, may use available services;

7. *Invites* Member States to support and participate fully in the XVIII International AIDS Conference, to be held in Vienna in 2010, in order to share best practices and learn more about AIDS, including by sending representatives of criminal justice and law enforcement bodies.

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<sup>82</sup> *WHO, UNODC, UNAIDS Technical Guide for Countries to Set Targets for Universal Access to HIV Prevention, Treatment and Care for Injecting Drug Users* (World Health Organization, Geneva, 2009).

## Resolution 53/10

### Measures to protect children and young people from drug abuse

*The Commission on Narcotic Drugs,*

*Bearing in mind* the Convention on the Rights of the Child,<sup>83</sup> which provides in its article 33 that States parties should take all appropriate measures, including legislative, administrative, social and educational measures, to protect children against the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production of and trafficking in such substances,

*Taking into account* the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, adopted by the Commission on Narcotic Drugs at its fifty-second session,<sup>84</sup> in particular the sections addressing the prevention of drug abuse among children and young people,

*Bearing in mind* that children and young people are the most valuable asset for achieving development and that Governments are obliged to protect them,

*Noting with grave concern* the decrease in the age of young people starting to use drugs, especially in areas in which the production of illicit drugs is a permanent threat,

*Underlining* the need to prevent and counter drug abuse among children because of its effects on their physical, mental, spiritual, moral and social development, which undermine the progress of society,

*Aware* of the need for Governments, in coordination with other sectors of society, to strengthen policies and mechanisms aimed at preventing illicit drug use among young people, especially those of school age,

*Recognizing* that collaboration among Governments, international organizations and all sectors of society is necessary for the implementation of plans and initiatives to counter drug abuse among children and the use of minors in illicit drug production and trafficking,

*Taking into account* the report of the International Narcotics Control Board for 2009,<sup>85</sup> which emphasizes primary prevention,

*Taking note with appreciation* of the subregional study on drug use in the school-age population in Argentina, Bolivia (Plurinational State of), Chile, Ecuador, Peru and Uruguay,

*Noting with appreciation* the current global initiatives on the prevention of drug abuse, HIV/AIDS and crime among young people through family skills training programmes in low- and middle-income countries undertaken by the United Nations Office on Drugs and Crime,

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<sup>83</sup> United Nations, *Treaty Series*, vol. 1577, No. 27531.

<sup>84</sup> A/64/92-E/2009/98, sect. II.A.

<sup>85</sup> *Report of the International Narcotics Control Board for 2009* (United Nations publication, Sales No. E.10.XI.1).

1. *Invites* States that have not yet done so to develop, implement and evaluate, in accordance with their national legislation, adequate evidence-based plans and strategies aimed at reinforcing the prevention of drug abuse at all levels of school education, focusing in particular on students who present a high risk of consumption or who have already started to abuse drugs, and to consider incorporating such initiatives into public-health and educational programmes;

2. *Encourages* States to promote, in coordination with local governments and other sectors of society, prevention programmes aimed at strengthening the role of families and family relations in order to prevent risky behaviours associated with drug consumption in children and young people, as well as to prevent the use of children and young people in the illicit production of and trafficking in drugs;

3. *Exhorts* all States to develop appropriate means of communicating and distributing information in the context of prevention programmes aimed at young people and designed to encourage effective alternatives to drug use and to promote healthy ways of life conducive to the enjoyment of free time without the use of drugs;

4. *Exhorts* States to design and conduct information campaigns in order to sensitize children and young people to all the consequences of the abuse of drugs, including psychoactive substances, as appropriate;

5. *Encourages* the United Nations Office on Drugs and Crime, which already has a programme on the prevention of drug abuse, to continue to gather detailed information on successful experiences in programmes for preventing and reducing illicit drug use among children and young people, especially those of school age, and to provide States, upon request, with guidance and assistance in developing strategies and programmes to replicate those successful experiences;

6. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission at its fifty-fourth session on the measures taken and on progress achieved in the implementation of the present resolution.

## **Resolution 53/11**

### **Promoting the sharing of information on the potential abuse of and trafficking in synthetic cannabinoid receptor agonists**

*The Commission on Narcotic Drugs,*

*Recalling* its resolution 48/1, on promoting the sharing of information on emerging trends in the abuse of and trafficking in substances not controlled under the international drug control treaties,

*Recognizing* that the use of substances that are not controlled under the international drug control treaties and that may pose potential public-health risks has emerged in recent years in several regions of the world,

*Noting* the increasing number of reports about the production of substances (most commonly herbal mixtures) containing synthetic cannabinoid receptor agonists that have psychoactive effects similar to those produced by cannabis,

*Concerned* that herbal mixtures containing cannabinoid receptor agonists, such as Spice products, are increasingly being sold through various channels, in particular through the Internet,

*Welcoming* the report of the International Narcotics Control Board for 2009, in which the Board noted the concern that had been raised regarding the abuse liability and potential health effects of herbal mixtures containing synthetic cannabinoids,<sup>86</sup>

*Noting* that most synthetic cannabinoid receptor agonists are not currently under international control although a number of Member States in several regions have placed several cannabinoid receptor agonists under national control,

*Noting* the efforts made at international forums held in Asia and the Pacific and in Europe to discuss the impact and control of synthetic cannabinoid receptor agonists and the use of national legislation to prevent the abuse of and trafficking in such substances,

*Recalling* that, pursuant to article 39 of the Single Convention on Narcotic Drugs of 1961,<sup>87</sup> article 23 of the Convention on Psychotropic Substances of 1971<sup>88</sup> and article 24 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,<sup>89</sup> the parties to those conventions are not precluded from adopting domestic measures of control that are stricter than those provided for in those conventions,

*Aware* of the need for Member States to develop and strengthen law enforcement cooperation,

*Noting* the value of sharing information on the use of substances containing synthetic cannabinoid receptor agonists as a means of developing effective preventive measures and encouraging Member States to cooperate more closely in addressing potential problems associated with the use of those substances,

1. *Calls upon* Member States to pay particular attention to the emerging trends of the widespread distribution of products containing synthetic cannabinoid receptor agonists, in particular through the Internet, and of the increasing use of such products;

2. *Also calls upon* Member States to consider adopting national legislation to control the use of synthetic cannabinoid receptor agonists, consistent with their domestic legal framework and after having assessed the potential risks of those substances, including the health and social problems associated with the use of, manufacture of and trafficking in those substances;

3. *Encourages* Member States to share, through appropriate channels, relevant information on the potential abuse of and trafficking in synthetic cannabinoid receptor agonists, including research results and any assessment of the public-health risks of those substances, trafficking trends and manufacturing techniques, in order to prevent the abuse and inappropriate distribution of those substances;

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<sup>86</sup> *Report of the International Narcotics Control Board for 2009* (United Nations publication, Sales No. E.10.XI.1), paras. 242-248.

<sup>87</sup> United Nations, *Treaty Series*, vol. 520, No. 7515.

<sup>88</sup> *Ibid.*, vol. 1019, No. 14956.

<sup>89</sup> *Ibid.*, vol. 1582, No. 27627.



4. *Requests* the International Narcotics Control Board to continue to play a role in gathering from Member States information on synthetic cannabinoid receptor agonists, including on new types of those substances that are not under international control, and in sharing that information with other Member States and the World Health Organization;

5. *Encourages* Member States to exchange, through appropriate bilateral and multilateral channels, information on methodologies for the detection and identification of new types of synthetic cannabinoid receptor agonists;

6. *Requests* the United Nations Office on Drugs and Crime to share information on the issue of cannabinoid receptor agonists with the Expert Committee on Drug Dependence of the World Health Organization to increase its understanding and awareness of the issue.

## **Resolution 53/12**

### **Strengthening systems for the control of the movement of poppy seeds obtained from illicitly grown opium poppy crops**

*The Commission on Narcotic Drugs,*

*Recalling* Economic and Social Council resolution 1999/32 of 28 July 1999, on the international regulation and control of trade in opium poppy seeds,

*Recalling also* its resolution 51/15, pursuant to which the International Narcotics Control Board sent a questionnaire to Governments concerned with a view to collecting information on measures taken by Member States to implement Economic and Social Council resolution 1999/32,

*Considering* article 22 of the Single Convention on Narcotic Drugs of 1961,<sup>90</sup> on the prohibition of the illicit cultivation of the opium poppy, and the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development,<sup>91</sup> adopted by the General Assembly at its twentieth special session,

*Emphasizing* the need to fight the illicit cultivation of opium poppy by all possible means,

*Aware* that, according to the provisions of the 1961 Convention, trade in poppy seeds is not subject to international control,

*Recognizing* that there is a need to prohibit the international trade in opium poppy seeds obtained from illicitly grown opium poppy plants,

*Noting* that poppy seeds derived from illicit cultivation are available on a large scale from countries where the cultivation of opium poppy is prohibited,

*Acknowledging* that the import, export and transit of opium poppy seeds are prohibited in many countries where opium poppy is illicitly cultivated,

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<sup>90</sup> United Nations, *Treaty Series*, vol. 520, No. 7515.

<sup>91</sup> General Assembly resolution S-20/4 E.

*Noting with concern* the information contained in the report of the International Narcotics Control Board for 2009, according to which drug traffickers continued to smuggle opium poppy seeds from countries where the cultivation of opium poppy was not permitted and to attempt to sell those seeds on the world market,<sup>92</sup>

*Also noting with concern* that in some countries opium poppy seeds obtained from illicitly grown opium poppy are used to camouflage and conceal shipments of poppy straw,

*Resolving* to consider measures that may be taken to prevent the international movement of poppy seeds obtained from illicitly grown opium poppy, in line with recommendation 28 of the International Narcotics Control Board contained in its report for 2009,

1. *Requests* the International Narcotics Control Board and the United Nations Office on Drugs and Crime to continue to assist Member States in taking appropriate measures to ensure the full implementation of article 22 of the Single Convention on Narcotic Drugs of 1961<sup>93</sup> by Member States concerned;

2. *Encourages* all Member States to endeavour, consistent with their national laws and regulations and applicable international regulations, to import opium poppy seeds derived from licitly grown opium poppy crops;

3. *Encourages* the Governments of countries that permit the importation of poppy seeds to put in place, if they have not already done so, the procedures envisaged in Economic and Social Council resolution 1999/32 of 28 July 1999;

4. *Encourages* Member States to continue to inform the International Narcotics Control Board of measures taken to implement Economic and Social Council resolution 1999/32, in line with Commission resolution 51/15;

5. *Urges* Member States to inform the International Narcotics Control Board of any suspicious transactions involving opium poppy seeds and seizures of poppy seeds derived from illicitly cultivated opium poppy, consistent with their national laws and regulations;

6. *Invites* Member States that are licit producers of opium poppy seeds and importing countries to share available information on the movement of opium poppy seeds and on their experiences in dealing with the movement of opium poppy seeds in conjunction with the fifty-fourth session of the Commission, consistent with their national laws and regulations;

7. *Encourages* Member States where opium poppy is illicitly cultivated to cooperate closely with the Governments of neighbouring countries in order to prevent smuggling of poppy seeds;

8. *Requests* the Secretary-General to transmit the text of the present resolution to all Governments for their consideration and implementation.

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<sup>92</sup> *Report of the International Narcotics Control Board for 2009* (United Nations publication, Sales No. E.10.XI.1), para. 65.

<sup>93</sup> United Nations, *Treaty Series*, vol. 520, No. 7515.

## Resolution 53/13

### Use of “poppers” as an emerging trend in drug abuse in some regions

*The Commission on Narcotic Drugs,*

*Mindful* of the need to raise awareness of new patterns of potential abuse of drugs,

*Recalling* the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime,<sup>94</sup> in which it is stated that scientific and forensic findings enrich policy and trend analysis by providing the basis for accurate information in specific areas,

*Recalling also* its resolution 48/1, on promoting the sharing of information on emerging trends in the abuse of and trafficking in substances not controlled under the international drug control conventions,

*Bearing in mind* the Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction,<sup>95</sup> in which States committed themselves to assess the causes and consequences of the misuse of all substances,

*Reaffirming* the commitment to ensure that drug demand reduction measures are based on drug use trends in the community and are revised periodically on the basis of new trends, feedback, and monitoring and evaluation processes, as stated in the Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,<sup>96</sup>

*Reiterating* the fact that in recent years in several regions there has emerged a trend of abuse of a number of substances not under international control that may pose a threat to public health,

*Concerned* that those substances of abuse may be distributed by various means, including through the Internet,

*Noting* that, pursuant to article 39 of the Single Convention on Narcotic Drugs of 1961,<sup>97</sup> article 23 of the Convention on Psychotropic Substances of 1971<sup>98</sup> and article 24 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,<sup>99</sup> the parties to those conventions are not precluded from adopting domestic measures of control that are stricter than those provided for in those conventions,

*Concerned* about the potential abuse of and emerging problems related to substances not under international control that have been reported by some countries,

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<sup>94</sup> Economic and Social Council resolution 2007/12, annex.

<sup>95</sup> General Assembly resolution 54/132, annex.

<sup>96</sup> A/64/92-E/2009/98, sect. II.A.

<sup>97</sup> United Nations, *Treaty Series*, vol. 520, No. 7515.

<sup>98</sup> *Ibid.*, vol. 1019, No. 14956.

<sup>99</sup> *Ibid.*, vol. 1582, No. 27627.

*Recognizing* that “poppers” is a term used to describe mixtures containing various alkyl nitrites, such as amyl nitrite, that are abused by inhaling, and noting that those mixtures are not currently controlled under the international drug control conventions,

*Aware* of the documented adverse consequences of the use of “poppers” for human health, including blood disorders and other pathological conditions,

*Aware also* that some alkyl nitrites are present in products used for legitimate medical and non-medical purposes,

1. *Invites* Member States, as appropriate, to share available information on abuse of “poppers” with the International Narcotics Control Board and other interested parties;

2. *Also invites* Member States, where appropriate, to address the potential problem of the use of “poppers”, which affects some Member States, by adopting measures such as the enhancement of public awareness;

3. *Further invites* Member States to share information on best practices and lessons learned to counter this emerging trend.

## **Resolution 53/14**

### **Follow-up to the implementation of the Santo Domingo Pact and Managua Mechanism**

*The Commission on Narcotic Drugs,*

*Welcoming* the commitment contained in the Political Declaration on Combating Illicit Drug Trafficking, Organized Crime, Terrorism and Other Serious Crime in the Caribbean, adopted at the Ministerial Conference on Illicit Drug Trafficking, Transnational Organized Crime and Terrorism as Challenges for Security and Development in the Caribbean, held in Santo Domingo from 17 to 20 February 2009, and the decisions contained in the Political Declaration on Illicit Drug Trafficking, Transnational Organized Crime and Terrorism as Challenges for Security and Development in Central America, adopted at the ministerial conference held in Managua on 23 and 24 June 2009 under the auspices of the Central American Integration System and the United Nations Office on Drugs and Crime,

*Recalling* the framework of cooperation established in the international drug control conventions and, in particular, article 10, paragraph 1, of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,<sup>100</sup> in which the parties to the Convention commit to cooperate, directly or through competent international or regional organizations, to assist and support transit States and, in particular, developing countries in need of such assistance and support, to the extent possible, through programmes of technical cooperation on interdiction and other related activities,

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<sup>100</sup> United Nations, *Treaty Series*, vol. 1582, No. 27627.

*Bearing in mind* the provisions of the United Nations Convention against Transnational Organized Crime and the Protocols thereto<sup>101</sup> and the United Nations Convention against Corruption,<sup>102</sup>

*Reaffirming* the principle of common and shared responsibility as the basis for a comprehensive, broad, balanced and sustainable approach to combating illicit drugs, transnational organized crime, corruption and related offences,

*Recognizing* the determination and efforts of the States of Central America and the Caribbean to combat drug trafficking and transnational organized crime in all its forms, individually, bilaterally and multilaterally,

*Taking into account* its resolution 52/11, entitled “Follow-up to the Ministerial Conference on Illicit Drug Trafficking, Transnational Organized Crime and Terrorism as Challenges for Security and Development in the Caribbean”,

*Recognizing* the work of the United Nations Office on Drugs and Crime in supporting the efforts of the States of Central America and the Caribbean in their determination to combat transnational organized crime in all its forms, including drug trafficking and related offences, by implementing the decisions contained in the Santo Domingo Pact and Managua Mechanism,

1. *Encourages* the implementation of the Political Declaration on Combating Illicit Drug Trafficking, Organized Crime, Terrorism and Other Serious Crime in the Caribbean, adopted in Santo Domingo on 19 February 2009, and the Political Declaration on Illicit Drug Trafficking, Transnational Organized Crime and Terrorism as Challenges for Security and Development in Central America, adopted at the ministerial conference held in Managua on 23 and 24 June 2009 under the auspices of the Central American Integration System and the United Nations Office on Drugs and Crime;

2. *Supports* the implementation of the action plan for the Caribbean and the United Nations Office on Drugs and Crime programme to support the plan of action and the security strategy for Central America and Mexico;

3. *Requests* the United Nations Office on Drugs and Crime to assist the States of Central America and the Caribbean, upon their request, in obtaining the resources necessary for the effective implementation of the Santo Domingo Pact and Managua Mechanism, as well as the plan of action for the Caribbean and the Office’s programme to support the plan of action and the security strategy for Central America and Mexico, within its mandate;

4. *Invites* the international community, including financial institutions and intergovernmental, non-governmental and international organizations, in accordance with the principle of common and shared responsibility, to provide financial and technical assistance, including consultation services, in order to support the States of the region in their endeavours to implement the Santo Domingo Pact and Managua Mechanism;

5. *Requests* the United Nations Office on Drugs and Crime to provide periodic updates on the implementation of the present resolution.

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<sup>101</sup> Ibid., vols. 2225, 2237, 2241 and 2326, No. 39574.

<sup>102</sup> Ibid., vol. 2349, No. 42146.

## Resolution 53/15

### **Strengthening international cooperation and regulatory and institutional frameworks for the control of substances frequently used in the manufacture of narcotic drugs and psychotropic substances**

*The Commission on Narcotic Drugs,*

*Recalling* the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,<sup>103</sup> in which it was stated that while legislative and regulatory controls had prevented the diversion into illicit channels of substances frequently used in the manufacture of narcotic drugs and psychotropic substances, such substances continued to reach clandestine drug laboratories,

*Also recalling* that in the Political Declaration and Plan of Action, States decided to establish 2019 as a target date for eliminating or reducing significantly the illicit cultivation of opium poppy, coca bush and cannabis plant and the diversion of and trafficking in substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances,

*Further recalling* national and international measures to counter the diversion of substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances adopted pursuant to the Single Convention on Narcotic Drugs of 1961,<sup>104</sup> that Convention as amended by the 1972 Protocol,<sup>105</sup> the Convention on Psychotropic Substances of 1971<sup>106</sup> and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,<sup>107</sup> in particular its article 12,

*Noting* that in the Political Declaration and Plan of Action, Member States reiterated the need to further strengthen legislation on the control of precursors and the criminalization of their diversion and to emphasize the importance of the instruments provided for in article 12 of the 1988 Convention and promote and further enhance their effective implementation,

*Also noting* the United Nations resolutions calling on Member States to increase international and regional cooperation in order to counter the illicit production of and trafficking in drugs, including by strengthening the control of the international trade in precursor chemicals frequently used in the production of illicit drugs and preventing attempts to divert the substances from licit international trade for illicit use,

*Recalling* General Assembly resolution 59/162 of 20 December 2004, on follow-up on strengthening the systems of control over precursor chemicals and preventing their diversion and trafficking, in which the Assembly recommended that

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<sup>103</sup> A/64/92-E/2009/98, sect. II.A.

<sup>104</sup> United Nations, *Treaty Series*, vol. 520, No. 7515.

<sup>105</sup> *Ibid.*, vol. 976, No. 14152.

<sup>106</sup> *Ibid.*, vol. 1019, No. 14956.

<sup>107</sup> *Ibid.*, vol. 1582, No. 27627.

Member States develop or further adapt their regulatory and operational control procedures to counter the diversion of chemical substances into illicit drug production or manufacture, and reaffirmed the importance of using all available legal means or measures to prevent the diversion of chemicals from legitimate trade to illicit drug manufacture as an essential component of comprehensive strategies against drug abuse and trafficking and of preventing access to chemical precursors by those engaged in or attempting to engage in the processing of illicit drugs,

*Reaffirming* its resolution 51/10, entitled “Strengthening international cooperation for the control of precursor chemicals used in the manufacture of synthetic drugs”, in which it urged Member States to further strengthen, update or, if they had not yet done so, establish national legislation and mechanisms relating to the control of precursors used in the illicit manufacture of drugs and emphasized the need for Member States to strengthen monitoring and control systems at the points of entry of precursors and to promote the secure transport of such substances,

*Noting with concern* that, despite the efforts made by States and relevant international and regional organizations, trafficking in substances frequently used in the manufacture of narcotic drugs and psychotropic substances continues to be a problem that States must deal with as a matter of priority, if they have not yet done so,

*Concerned* about the alarming scale of the illicit manufacture of heroin and cocaine and production of cannabis worldwide and of the illicit manufacture of amphetamine-type stimulants, the associated diversion of substances used in the illicit manufacture of narcotic drugs and psychotropic substances, and the emergence of new methods used by organized criminal groups to divert such chemical substances from licit trade,

*Emphasizing* the importance of further strengthening existing international cooperation mechanisms for the control of substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances and the need for States to participate in international operations and projects such as Project Cohesion, the Targeted Anti-trafficking Regional Communication, Expertise and Training (TARCET) initiative, Project Prism and other relevant initiatives to counter the diversion of and trafficking in such chemical substances,

*Noting* the information contained in the annual report of the International Narcotics Control Board for 2009 on precursors and chemicals frequently used in the illicit manufacture of narcotic drugs and psychotropic substances,<sup>108</sup> in particular the recognition by the Board of the need to monitor, to the extent possible, compounds that contain such substances and their movements,

*Recognizing* the legitimate need, in particular of the industry and trade sectors, to have access to substances frequently used in the manufacture of narcotic drugs and psychotropic substances, as reflected in the Political Declaration and Plan of Action, and the important role of those sectors in preventing diversion from the licit manufacture of and trade in such substances,

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<sup>108</sup> *Precursors and Chemicals Frequently Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances: Report of the International Narcotics Control Board for 2009 on the Implementation of Article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988* (United Nations publication, Sales No. E.10.XI.4).

*Appreciating* the efforts made by Member States to control substances frequently used in the manufacture of narcotic drugs and psychotropic substances with a view to preventing their diversion and thus preventing the illicit manufacture of narcotic drugs and psychotropic substances,

*Recognizing* the important work of the International Narcotics Control Board as the principal body and global focal point for the international control of trade in chemical substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances,

1. *Invites* Governments to continue contributing to the efforts of the International Narcotics Control Board, especially through the system for pre-export notification, so as to favour rapid identification of new patterns of diversion of substances used in the illicit manufacture of narcotic drugs and psychotropic substances, such as in the case of phenylacetic acid, in particular through the Pre-Export Notification Online system, Project Cohesion, Project Prism and other relevant initiatives, in order to ensure the successful outcome of those efforts;

2. *Calls upon* the International Narcotics Control Board to further strengthen communication with Member States and to work with them in identifying opportunities for more effective control and monitoring of the trade in precursor chemicals frequently used in the illicit manufacture of narcotic drugs and psychotropic substances;

3. *Encourages* Member States, if they have not yet done so, to adopt and implement the necessary measures, in accordance with article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,<sup>109</sup> to monitor the manufacture, shipment, marketing and distribution of substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances, including a system for issuing licences to deal with such substances, while ensuring that the legitimate trade in and use of those substances are not adversely affected;

4. *Invites* Member States to consider, as appropriate, expanding the list of substances under international control that are frequently used in the illicit manufacture of narcotic drugs and psychotropic substances, in accordance with the procedure set out in article 12 of the 1988 Convention and taking into account the actions recommended by competent national authorities in relation to the limited international surveillance list;

5. *Calls upon* Member States, in conformity with the provisions of the 1988 Convention and their national legislation, to review their criminal and administrative measures and, in accordance with the provisions of article 3 of the 1988 Convention, to counter trafficking in substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances, including, if they have not yet done so, establishing as an offence the unlawful manufacture, shipment, marketing or distribution of precursor chemicals under international control and sanctions for non-compliance with the administrative control measures adopted pursuant to the present resolution;

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<sup>109</sup> United Nations, *Treaty Series*, vol. 1582, No. 27627.



6. *Urges* Member States to continue to focus on the problem of the diversion of substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances and the related problem of the alarming scale of the illicit manufacture of narcotic drugs and psychotropic substances;

7. *Encourages* Member States to consider strengthening, in accordance with their national legislation, overall control over and monitoring of the trade in precursor chemicals that can be easily used in, or recovered by readily applicable means for use in, the illicit manufacture of narcotic drugs and psychotropic substances and to monitor, to the extent possible, the legitimate trade in such chemicals;

8. *Also encourages* Member States, if they have not yet done so, in accordance with their respective national legislation, to do the following:

(a) Consider establishing or implementing mechanisms that facilitate the identification of transactions suspected of involving diversion and that require operators to report such transactions, including, to the extent possible, transactions involving chemicals that contain substances frequently used in the manufacture of narcotic drugs and psychotropic substances;

(b) Consider requiring, or implementing the requirement, that all transactions of substances frequently used in the manufacture of narcotic drugs and psychotropic substances carried out by authorized operators be reported to the competent authority and that that information be stored in an appropriate manner to ensure its availability for the competent authority;

9. *Further encourages* Member States to adopt measures to improve international controls over the movement of substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances on the basis of pre-export notifications and notifications of re-export or resale to third countries and the licensing of activities relating to deliveries of such substances;

10. *Emphasizes* the need for Member States to strengthen monitoring and control systems at the points of entry and exit of substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances, including airports, seaports, river ports and customs posts, and to promote the secure transport of such substances;

11. *Encourages* States from which substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances are exported and those into which such substances are imported to maintain, to the extent possible, updated annual estimates of their legitimate requirements for such substances, in accordance with General Assembly resolution 64/182 of 18 December 2009;

12. *Encourages* Member States to work closely, to the extent possible, with the relevant industry and trade sectors and to establish, where necessary, effective national procedures and mechanisms for the control and monitoring of the trade in chemicals frequently used in the illicit manufacture of narcotic drugs and psychotropic substances, making use of the International Narcotics Control Board *Guidelines for a Voluntary Code of Practice for the Chemical Industry*<sup>110</sup> and

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<sup>110</sup> United Nations publication, Sales No. E.09.XI.17.

public-private partnerships for the preparation and implementation of those procedures and mechanisms;

13. *Invites* Member States with experience in the investigation of offences relating to the diversion of substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances, the International Narcotics Control Board and the United Nations Office on Drugs and Crime to continue to work together to provide, where possible, the relevant training to States, upon request, and invites Member States and other donors to consider providing extrabudgetary contributions for those purposes in accordance with the rules and procedures of the United Nations;

14. *Encourages* States to provide the International Narcotics Control Board and the Member States concerned with timely information on the identification of any new substances replacing substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances and on the manufacture of such new substances;

15. *Invites* Member States to take appropriate measures so as to strengthen international cooperation and exchange of information regarding the identification of new routes and modi operandi of criminal organizations dedicated to the diversion or smuggling of substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances, in particular with respect to trafficking via the Internet, and to continue to notify the International Narcotics Control Board of such information;

16. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to transmit the text of the present resolution to all Member States.

## **Decision 53/1**

### **Transfer of phenylacetic acid from Table II to Table I of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988**

At its 2nd meeting, on 8 March 2010, the Commission on Narcotic Drugs, on the recommendation of the International Narcotics Control Board, decided by 44 votes to none, with no abstentions, to transfer phenylacetic acid from Table II to Table I of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.<sup>111</sup>

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<sup>111</sup> United Nations, *Treaty Series*, vol. 1582, No. 27627.

## Decision 53/2

### Follow-up to the revised draft annual report questionnaire

At its 6th meeting, on 10 March 2010, the Commission on Narcotic Drugs decided:

(a) To provide Member States with an opportunity to submit supplementary comments to the revised draft annual report questionnaire,<sup>112</sup> with any such supplementary comments to be transmitted to the Secretariat before 20 May 2010;

(b) To request the Secretariat to prepare a revised version of the draft annual report questionnaire taking into consideration the following:

(i) The comments received from Member States prior to the fifty-third session of the Commission and contained in the conference room paper entitled "Revised draft annual reports questionnaire: comments received from Member States";<sup>113</sup>

(ii) Any supplementary comments submitted by Member States prior to 20 May 2010;

(iii) Other ongoing data collection mechanisms;

(c) That the revised version of the draft annual report questionnaire should highlight any unresolved issues that might arise from contradictory comments;

(d) To reconvene the open-ended intergovernmental expert group on data collection, established pursuant to Commission resolution 52/12, to discuss the unresolved issues, if any, and finalize the data collection tool so that the Commission can adopt the revised comprehensive data collection tool at its reconvened fifty-third session, to be held in December 2010.

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<sup>112</sup> E/CN.7/2010/15 and Add.1 and Corr.1 and Add.2-4.

<sup>113</sup> E/CN.7/2010/CRP.8.