



Report



REFERENCES TO CHILE

FOREWORD

Each year, the International Narcotics Control Board (INCB) reports on the functioning of the international drug control system and developments in international drug control. Based on its findings, the Board makes recommendations to Governments and regional and international organizations to improve various aspects of drug control. Often, a cross-cutting aspect of the Board's recommendations is international or regional cooperation.

International cooperation to address the global drug problem is founded upon the principle of shared responsibility, a mutual commitment to common goals and a commitment to complementary policy and joint action. The overwhelming majority of States have developed and acceded to the three international drug control conventions that make up the international drug control system, which in turn is built upon the principle of shared responsibility. Those conventions are the best available tools for addressing the global drug problem and for protecting humanity from drug abuse and the impact of trafficking in and illicit cultivation and production of drugs. The conventions are based upon the fact that drugs can flow across borders and between continents, from producer to trafficker, from one society to another, and from trafficking to abuse. In signing the conventions, Governments agreed that this global problem requires a global solution and committed themselves to meeting their individual obligations under those conventions.

Given the importance of shared responsibility in drug control efforts, INCB has decided to highlight that principle in chapter I of the present report. That chapter describes the evolution and achievements of shared responsibility in drug control and presents examples of good practice in applying the principle of shared responsibility to drug control efforts in areas such as demand reduction, supply reduction, judicial cooperation and the control of licit trade in drugs. In the context of shared responsibility, all levels of government, civil society, local communities and the private sector must work together to ensure that the health and well-being of citizens are not undermined by drug abuse or by the impact of trafficking in or illicit

cultivation and production of drugs, such as drug-related crime and violence. The Board's recommendations in this regard include, inter alia, the need to maintain the delicate balance between supply and demand reduction efforts; the necessity of establishing comprehensive programmes for the prevention and treatment of drug abuse, as well as for reintegration; and the importance of coordination between the authorities responsible for health, education, justice, economic development and law enforcement, together with civil society and the private sector.

The principle of shared responsibility for the global drug problem is also reflected in the global debate on drug policy that is under way between Governments at the regional level and also within Governments. INCB welcomes and supports initiatives of Governments aimed at further strengthening international drug control within the framework of the international drug control conventions. We note with concern, however, that in this debate, some declarations and initiatives have included proposals for the legalization of the possession of drugs for non-medical and non-scientific use, that is, for "recreational" use, that would allow the cultivation and consumption of cannabis for non-medical purposes. Any such initiatives, if implemented, would violate the international drug control conventions and could undermine the noble objectives of the entire drug control system, which are to ensure the availability of drugs for medical purposes while preventing their abuse. Proponents of such initiatives ignore the commitment that all Governments have made to promote the health and well-being of their communities, and such initiatives run counter to the growing body of scientific evidence documenting the harm associated with drug abuse, including occasional use, particularly among young people during their formative years. Furthermore, such initiatives would create a false sense of security and would send a false message to the public, in particular children, regarding the health impact of abuse of drugs. Some have argued that these proposals would eliminate the illicit markets and organized crime associated with drugs of abuse. Yet, even if such initiatives were implemented, organized criminal groups would get even more deeply involved, for instance by creating a black market for the illicit supply of newly legalized drugs to young people. To target the organized crime and violence associated with the illicit trade in drugs, the most effective tool is primary prevention of drug abuse, coupled with treatment and rehabilitation, and complemented by supply reduction measures, as provided for in the conventions.

Primary prevention is also the key means of preventing the abuse of new psychoactive substances, which the Board addresses as a special topic in chapter II of the report. Controls are being circumvented by the manufacture and sale of substances that have been designed to be chemically different from controlled substances but have similar psychoactive effects. National controls, including generic controls, of such substances can help to address this growing phenomenon, as can monitoring and the exchange of information on trends of abuse. But ultimately, demand reduction is the most effective approach. A similar challenge is seen in the control of precursor chemicals, with the increasing use of non-scheduled chemicals as "pre-precursors" in the illicit manufacture of drugs. Illegal sales of controlled substances, as well as non-controlled substances of abuse, through Internet pharmacies is another growing problem. The present report outlines how this issue can be remedied through proper registration, licensing and supervision of such pharmacies at the national level, as well as international cooperation between Internet registrars and national regulatory authorities.

Strengthening the capacity of the competent authorities is essential to achieve the key objective of the international drug control conventions: ensure the availability of controlled medicines for the treatment of pain and suffering associated with illness, including mental disorders, and prevent their abuse. While the medical use of cannabis is permitted by the treaties under specific conditions, it poses a major challenge in some countries. If not adequately regulated, such “medical cannabis” schemes can contribute to increasing levels of abuse of the substance. That issue is elaborated on in this report.

While shared responsibility in international drug control is essential to addressing the global drug problem, so too is the responsibility of States to fulfil their obligations at the national level, as set out in the conventions. A prerequisite to effectively fulfilling these obligations at the national level is the adequate capacity of national drug regulatory authorities. Governments must ensure that their competent authorities have the appropriate resources and staff, and INCB calls on Governments and the international community, as appropriate, to provide technical assistance in this area so as to promote effective and sustainable national regulatory control of drugs for licit purposes.

Ultimately, we all have a shared responsibility to address the global drug problem, whether it be at the individual, community, governmental or international level. We must continue to strive to prevent and minimize the suffering and loss of potential caused by drug abuse and drug-related crime and violence.

A handwritten signature in black ink, appearing to be 'RYANS', with a long horizontal line extending to the right from the end of the signature.

Raymond Yans
President
International Narcotics Control Board

I. SHARED RESPONSIBILITY IN INTERNATIONAL DRUG CONTROL

1. Common and shared responsibility is a principle of international law and is applied in many fields of cooperation. It is thus not specific to drug control. Whereas international treaties establish a set of rules creating individual obligations for States parties, the principle of common and shared responsibility goes much further. It provides the framework for a cooperative partnership among a community of parties, based on a common understanding of a shared problem, a common goal and the necessity of reaching that goal through common and coordinated action. Thus, the principle of shared responsibility can be seen as a joint undertaking involving government institutions, the private sector, civil society, local communities and individuals who have agreed to work together as partners and who have a shared mutual obligation for concerted action at different levels in response to the drug challenge. Consequently, the principle of common and shared responsibility commits parties to strengthening their cooperation not only to pursue their own interests but also to take into account the interests of others and to assist those parties that need help. However, shared responsibility in drug control at the international level will be effective when States fully meet their obligations at the national level.

2. This principle has evolved over the years from the concept of collective responsibility in drug control in the 1980s, shared responsibility in the 1990s and common and shared responsibility since the turn of the century. Addressing the elements of shared responsibility calls for the recognition of key criteria and principles, including how to apportion responsibility between multiple actors, the notion of mutual accountability and liability, the dimensions of capability and capacity, and role and resources of each partner.

3. The effective implementation of this principle today is all the more important since almost every country suffers from drug abuse and illicit production, trafficking or drug-related corruption and violence.

II. FUNCTIONING OF THE INTERNATIONAL DRUG CONTROL SYSTEM

D. Ensuring the implementation of the provisions of the international drug control treaties

1. Preventing the diversion of controlled substances

Requirement of import and export authorizations

202. The 1971 Convention does not require import and export authorizations for trade in psychotropic substances listed in Schedule III or IV of the Convention. However, in view of widespread diversion of those substances from international trade in the 1970s and 1980s, the Economic and Social Council, in its resolutions 1985/15, 1987/30 and 1993/38, requested Governments to extend the system of import and export authorizations to cover all psychotropic substances. In 2012 the Board has been informed by the Governments of Azerbaijan, Chile, the Russian Federation, Tajikistan and Ukraine that they recently imposed import authorization requirements for international trade involving some or all of the

substances in Schedules III and IV. In addition, the Governments of Christmas Island, the Cocos (Keeling) Islands, French Polynesia, Norfolk Island, Saint Helena and Sint Maarten informed the Board that they implement the same regulations as their sovereign Governments. (p. 28)

III. ANALYSIS OF THE WORLD SITUATION

B. Americas

Central America and the Caribbean

2. Regional cooperation

418. The transregional Airport Communication Project (AIRCOP) and the Container Control Programme are both being actively implemented in Central America and the Caribbean. AIRCOP was activated at the UNODC Regional Office for Central America and the Caribbean in Panama in July 2012. Joint airport interdiction task forces will be set up for the project in a number of countries in Latin America and the Caribbean and will be connected to international law enforcement databases. Communication networks of INTERPOL and the World Customs Organization will be secured to enable the real-time transmission to international airports of operational information aimed at identifying illicit networks and intercepting illicit shipments. This initiative provides targeted programmes of training in the methods, techniques and systems of risk analysis, drug detection and criminal network investigation. In the Central American and Caribbean region, implementation of the project was planned for the Dominican Republic and Jamaica, and is expected to expand to other key locations in the region. The Container Control Programme is in operation in Costa Rica, Guatemala and Panama, as well as other South American countries. This joint effort enables countries to improve the information exchange between law enforcement agencies, enhance capabilities with counterparts, provide information exchange and container alerts, plan target operations, deploy special investigative techniques and aid in post-seizure investigations. In 2011, law enforcement officers cooperating with the Container Control Programme in Latin America seized about 10 tons of drugs and 166,000 litres of various chemicals. The Programme will keep expanding in the region, with units planned to go into operation in the period 2012-2013 in Chile, the Dominican Republic, Guyana, Jamaica and Suriname. Comprehensive port assessments are being conducted, and memorandums of understanding are being negotiated with each of those countries. (p. 58)

South America

1. Major developments

510. The region of South America suffers from the illicit cultivation of coca bush, opium poppy and cannabis plant, as well as the manufacture and production of and trafficking in the illicit drugs stemming from that cultivation. There is significant and growing abuse of these plant-based drugs among the region's population, as well as growing use of synthetic drugs of abuse, both those manufactured illicitly and those diverted from licit channels. In 2011, the total area of illicit coca bush cultivation significantly decreased in Bolivia (Plurinational State of) (27,200 ha) and slightly increased in Colombia (64,000 ha) and Peru (62,500 ha). The total area under

illicit coca bush cultivation in South America in 2011 was estimated at 153,700 ha, indicating a minor decrease from the 154,200 ha reported in 2010. **(p. 71)**

511. As research is ongoing to determine the ratios for the conversion of coca leaf to cocaine in South America, UNODC did not provide any estimate of the global potential manufacture of cocaine in 2011. In 2010, UNODC estimated that the total global potential manufacture of cocaine ranged from 788 to 1,060 tons, indicating a decline in cocaine manufacture since the period 2005-2007. **(p. 71)**

512. Following the rejection of a proposal to amend article 49 of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, concerning the abolishment of coca-leaf chewing by the parties to the Convention, the Government of the Plurinational State of Bolivia formally deposited with the Secretary-General an instrument of denunciation of the 1961 Convention as amended by the 1972 Protocol. The denunciation of the Convention took effect on 1 January 2012. In 2012, the Government launched an international campaign to solicit the support of States parties to the 1961 Convention for its strategy to re-accede to that Convention with a reservation. The Board expressed its concern in its annual report for 2011 that if the international community were to adopt an approach whereby States parties would use the mechanism of denunciation and re-accession with reservations to overcome problems in the implementation of certain treaty provisions, the integrity of the international drug control system would be undermined. **(p. 71)**

513. The Board noted with concern that in August 2012, the Government of Uruguay presented to its national congress a proposed law to legalize the production and sale of cannabis in the country. According to the proposed law, the Government would assume control and regulation over the activities of importing, producing, acquiring title to, storing, selling and distributing cannabis herb and its derivatives. If adopted, the law could be in contravention of the international drug control conventions to which Uruguay is a party. The Board, in line with its mandate, has sought a dialogue with the Government of Uruguay to promote the country's compliance with the provisions of the international drug control treaties, in particular the 1961 Convention. **(p. 71)**

514. The Heads of State and Government of the Americas attending the Sixth Summit of the Americas held in Cartagena de Indias, Colombia, in April 2012 released a final communiqué in which they expressed concern that criminal organizations involved in drug trafficking continue their attempts to infiltrate societies and undermine democratic institutions. The Heads of State and Government also mandated OAS to prepare a report on the drug problem in the Americas. **(p. 72)**

515. The abuse of cocaine in the Americas is no longer confined to North America and a few countries in the Southern Cone, but has spread across Latin America and the Caribbean. According to a CICAD report entitled *Report on Drug Use in the Americas: 2011*, in the period 2002-2009 about 27 per cent of cocaine abusers in the hemisphere were found in South America. The report, released in March 2012, also warns about the adverse health effects of the abuse of a variety of smokeable substances that are produced during the processing of cocaine hydrochloride. **(p. 72)**

2. Regional cooperation

518. The Cooperation Programme between Latin America and the European Union on Drug Policies organized the International Conference on the theme “Synthetic drugs, an emerging phenomenon in Latin America”, held in Cartagena de Indias, Colombia, from 1 to 4 November 2011. Experts from counternarcotics police units and national prosecution agencies from Argentina, Bolivia (Plurinational State of), Chile, Colombia, Ecuador and Uruguay, together with delegates from Europe, Central America and North America and international organizations including the Police Community of the Americas (AMERIPOL), EMCDDA and Europol shared their experiences regarding the use of the early warning system, the importance of reference laboratories for forensic analysis and police research and investigations on legal psychoactive substances (“legal highs”), precursors and chemical substances used to manufacture synthetic drugs. **(p. 72)**

519. The issue of combating microtrafficking of illicit drugs received increased attention from experts from Argentina, Bolivia (Plurinational State of), Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay and Venezuela (Bolivarian Republic of) who attended the meeting of the Union of South American Nations South American Council on the World Drug Problem, held in Asunción, on 22 and 23 March 2012. The participants in the meeting called for a major commitment at the international level to address the problem. **(p. 72)**

520. “Drugs in severely excluded populations” was the theme of the XIV Ibero-American Seminar on Drugs and Cooperation, which took place in Santiago from 16 to 20 April 2012. The event was jointly organized by the Ibero-American Network of Non-Governmental Organizations Working in Drug Addiction, the National Service for the Prevention and Rehabilitation of Drug and Alcohol Use of Chile (SENDA) and the Central University of Chile, and was sponsored by CICAD and the National Plan on Drugs of Spain. **(p. 72)**

3. National legislation, policy and action

525. In 2011, the Chilean Congress approved the law that created the Ministry of Interior and Public Safety and the National Service for the Prevention and Rehabilitation of Drug and Alcohol Use. The National Service will assume responsibility for the implementation of drug abuse prevention, treatment, rehabilitation and social reintegration policies, as well as the development of a national strategy for drugs and alcohol, and will cooperate with the Ministry of Interior and Public Safety in that regard. **(p. 73)**

526. In March 2012, representatives of the Chilean Government, including judicial authorities, and of the private sector signed an agreement that institutionalizes drug treatment courts as public policy. The agreement allows drug abusers who commit minor crimes, if it is their first offence, to receive a therapeutic intervention, on a voluntary basis, in order to reduce the recurrence of drug abuse and commission of crime. **(p. 73)**

4. Cultivation, production, manufacture and trafficking

a) Narcotic drugs

536. Seizures of cannabis herb in Chile increased from 8.4 tons in 2010 to 14.6 tons in 2011; in Ecuador such seizures almost doubled, from 2.5 tons in 2010 to 4.6 tons in 2011. The 310 tons of cannabis herb seized in Paraguay in 2011 was more than three times as much as that seized in 2009; the 2 tons of cannabis herb seized in Uruguay in 2011 was the largest amount seized in the country in the past decade; and in Peru, the 157 tons of eradicated cannabis plants was the largest amount eradicated in the country in the past decade. **(p. 74)**

549. In the Plurinational State of Bolivia, seizures of cocaine (base and salts) increased from 29.1 tons in 2010 to 34 tons in 2011. Seizures of cocaine (base and salts) also increased in Ecuador, from 15.5 tons in 2010 to 21.3 tons in 2011, and in Venezuela (Bolivarian Republic of), from 24.9 tons in 2010 to 26.3 tons in 2011. In Ecuador, microtrafficking in drugs has increased. In Chile and Paraguay seizures of cocaine remained relatively stable. **(p. 75)**

b) Psychotropic substances

558. Justifiable concerns over the spreading abuse of synthetic drugs in South America can be corroborated by seizures of sizeable amounts of amphetamine-type stimulants in the region, including in Argentina, Brazil, Chile, Colombia, Ecuador and Uruguay in 2011. For example, in Brazil alone, 170,000 units of amphetamine, 48,000 units of methamphetamine and 259,000 units of MDMA (“ecstasy”) were seized in 2011. **(p. 76)**

5. Abuse and treatment

562. According to UNODC and the latest Government sources, the annual prevalence rates of cannabis abuse in the general population in Bolivia (Plurinational State of) (4.5 per cent), Chile (4.9 per cent), Suriname (4.3 per cent) and Uruguay (8.3 per cent) were the highest in South America. Among youth, the prevalence of cannabis abuse is even higher. For example, in Chile, 16.2 per cent of young people 15 to 16 years old and in Uruguay 12.5 per cent of youth 13 to 17 years old used cannabis in the past year. **(p. 76)**

565. UNODC estimated that the overall average of the annual prevalence of cocaine abuse in South America in 2010 remained essentially stable, estimated at 0.7 per cent. The recent Brazilian drug abuse survey indicates that the last-year prevalence of cocaine abuse (any form of cocaine) among the adult population was 2 per cent. Despite a reported decline in cocaine abuse in some countries in the region, including Argentina and Chile, the demand for treatment for cocaine abuse exceeds demand for treatment for abuse of any other illicit drug. **(p. 76)**

566. Coca-based products obtained at various processing stages, mostly referred to as cocaine base paste, are likely to be some of the most addictive and noxious substances abused in several countries in South America. According to the recent CICAD survey on drug abuse in the

Americas, the lifetime prevalence rates for cocaine basepaste in Argentina, Bolivia (Plurinational State of), Chile, Colombia, Ecuador, Peru and Uruguay were found to be 1 per cent or higher. There appears to be a variety of local forms of cocaine base paste, known as paco, basuco, pasta base or coca paste. More research, however, needs to be done in the different countries to determine whether these substances are indeed different substances or whether they should be classified as variants of the same substance. **(p. 76)**

568. Concern over rising levels of the abuse of synthetic drugs among South American youth also continued to grow. High annual prevalence of abuse of amphetamine-type stimulants among young people was reported, for example, in Argentina, Chile and Colombia. According to the latest information provided by Governments, 1.4 per cent and 1.6 per cent of youth aged 15 to 16 years old in Argentina and Chile, respectively, used MDMA (“ecstasy”) in the past 12 months. **(p. 77)**

D. Europe

4. Cultivation, production, manufacture and trafficking

a) Narcotic drugs

771. Ships are still the main mode of transportation for cocaine trafficked to Western Europe, representing almost 80 per cent of the quantity seized by customs authorities in 2011; however, seizures by customs authorities at airports accounted for 15 per cent of the quantity seized in Western Europe. Cocaine is increasingly trafficked to Slovenia via container from Latin America, with shipments also arriving at ports on the Adriatic Sea and then entering Slovenia via the western Balkans. Of the cocaine seized by customs authorities in 2011 in Western Europe, 80 per cent was identified as having originated in Bolivia (Plurinational State of), Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, Panama, Peru and Venezuela (Bolivarian Republic of). In 2010, cocaine deliveries to the Russian Federation arrived mainly from Ecuador. This trend continued in 2011, with two seizures carried out at the Saint Petersburg seaport, of 20.6 kg and 4.5 kg of cocaine arriving from Ecuador. Since 2009, the Caribbean region has become increasingly important in the trafficking of cocaine shipments destined for Europe. For example, the Dominican Republic was identified as the origin of 273 shipments, amounting to 3.5 tons, of cocaine seized by customs authorities in Western Europe in 2011. The significant increase, of about 50 per cent, in French seizures of cocaine in 2011 (almost 11 tons) compared with 2009 and 2010 was the result of seizures in the Caribbean. In January 2012, 1.2 tons of cocaine destined for the European market were seized on two vessels off the coast of Martinique. **(p. 102)**

E. Oceania

4. Cultivation, production, manufacture and trafficking

a) Narcotic drugs

821. The 16.2 kg seized in New Zealand in the first seven months of 2012 represent an exponential increase from the 615 grams seized in 2011. While New Zealand is a transit

country for trafficking of the drug to Australia, evidence suggests that most of the cocaine seized was for domestic consumption. Most of the cocaine detected came directly from South America, departing in particular from Argentina and Chile, with internal concealment being the most common form of its transportation. However, West African drug trafficking networks are also involved in the trafficking of cocaine into the country. **(p. 111)**