



Partnership, Cooperation and Action in the Greater Mekong Sub-region

The Memorandum of Understanding (MOU) on Drug Control



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Mekong MOU





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The Memorandum of Understanding (MOU) on Drug Control



The Mekong MOU on Drug Control

What is it?

The Mekong Memorandum of Understanding (MOU) on Drug Control brings together six countries in East and Southeast Asia – Cambodia, China, Lao PDR, Myanmar, Thailand and Viet Nam – to address the threat of illicit drug production, trafficking and use.

As a non-state signatory and the seventh partner to the MOU, the United Nations Office on Drugs and Crime (UNODC) provides secretariat and technical support to the MOU process.

UNODC's Regional Programme for Southeast Asia is carefully designed to ensure effective support for the Mekong MOU mechanism. With support from the international community and UNODC, the Mekong MOU Governments have worked together on issues related to illicit drugs for over 25 years.

This work continues today.

Why is it needed?

Despite significant efforts, the Mekong countries continues to face challenges in stemming the flow of illicit drugs and precursor chemicals in, to and from the Sub-region.

Despite a decade of declines, the illicit cultivation of opium continues at high levels. Today, cultivation is concentrated in Myanmar and Lao PDR.

Synthetic drugs, particularly methamphetamine in pill and crystal forms, have now emerged as the primary drug threat in the Sub-region. The diversion and subsequent trafficking of precursors chemicals, and the emergence of new psychoactive substances, also continue to be of concern.

The Mekong MOU provides an ideal operational platform to address these challenges. It is a framework that already has the strong foundations of collaboration and partnership in place.

The consultation and evaluation mechanisms that are built in to the MOU process will allow it to respond to the constantly evolving nature of the threat. Under the MOU umbrella, the Mekong countries will continue to work towards holistic, balanced and evidence-informed drug policies.



The Mekong MOU on Drug Control

A brief history

The United Nations International Drug Control Programme's (UNDCP, now UNODC) Executive Director and Regional Centre officials meet in Yangon, Myanmar with officials of China, Myanmar, Lao PDR and Thailand for the first senior-level review of two UNDCP-supported, joint, cross-border projects.

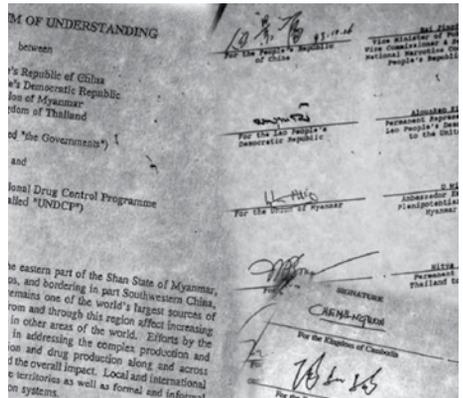
They conclude that there is a definite need for a broader Sub-regional drug-control structure. UNDCP develops a draft of the MOU, agreed to by the four Governments.



The first Ministerial Meeting is held in Beijing, where the Protocol to the MOU is signed to include Cambodia and Viet Nam as new members of the MOU.

A Sub-regional Action Plan for Drug Control, including eleven projects at a total cost of more than US\$15 million, is also endorsed.

1992



1993

Representatives of the Governments of China, Lao PDR, Myanmar and Thailand meet with the Executive Director of the United Nations International Drug Control Programme (UNDCP, now UNODC) to sign the 1993 Memorandum of Understanding on Drug Control.

Amongst other points, they agree that:

- they would meet at least once a year to review the drug control situation in the region and to adopt recommendations concerning possible future remedial actions;
- they would pursue further collaborative efforts whenever appropriate; and
- other governments in the region could be invited to become parties to the MOU.

1995



The Mekong MOU on Drug Control

A brief history

The Addendum on Partnership to the MOU is signed during this period by all Governments. They pledge to assume a more active and protagonist role in the Sub-regional consultation process as well as in the implementation of the rolling Sub-regional Action Plan (SAP).



2001-2002



2003

Ministerial Meeting in Hanoi adopts the Hanoi Declaration to step up drug control cooperation with new tools.



2009

Ministerial Meeting in Hua Hin, Thailand adopts the Cha-am Declaration endorsing new forms of regional cooperation in drug demand reduction; drugs and HIV AIDS; alternative development; law enforcement; and international cooperation on judicial matters.

2013

Ministerial Meeting in Myanmar adopts the Nay Pyi Taw Declaration committing MOU Governments to strengthen cross-border cooperation.

The Amendment to the Addendum on Partnership is signed and pledges to engage in joint efforts to design and implement SAP projects, and to share responsibility in mobilizing resources.

2014

The Commission on Narcotic Drugs adopts Resolution 57/11 to strengthen and expand international cooperation to counter the threat posed by illicit drugs in the Mekong Sub-region.



The Mekong MOU on Drug Control

A brief history

The Second Addendum on Partnership to the MOU is adopted at the Ministerial Meeting in Ha Noi, Viet Nam, calling for more impetus to be placed on collective and shared responsibility of the drug problem.



The Special Session of the United Nations General Assembly on the World Drug problem takes place in New York. The adopted outcome document recommends measures to address demand and supply reduction, and to improve access to controlled medicines while preventing diversion.



The 2030 Agenda for Sustainable Development and the Sustainable Development Goals are adopted and officially come into force on 1 January 2016.



The recommendations also cover the areas of human rights, youth, children, women and communities; emerging challenges, including new psychoactive substances; strengthening international cooperation; and alternative development. Strong emphasis is also placed on proportionate national sentencing policies and practices for drug-related offences, and on prevention and treatment.

2015

2016



The Mekong MOU on Drug Control

How does it work?

Ministerial-level Meetings, held every two years, serve as the group's governing and policy-making body, and are particularly important for ensuring focus on drug control issues on the political agendas of participating governments.

Senior Officials Committee (SOC) Meetings, held annually, are responsible for agreeing to operational activities endorsed at the Ministerial level. The SOC monitors the overall implementation and development of the Sub-regional Action Plan (SAP) and its various components, in addition to the review of SAP achievements.

Both of these regular conferences encourage ongoing senior-level consultations on appropriate policy responses to drug control problems in the Sub-region. They also serve as the primary platform for discussing other key issues, including strategies for addressing the important links between drug trafficking and other transnational crimes (including money laundering); migration crime and the trafficking of humans; and international terrorism.

Focal Point Meetings, held annually, are responsible for creating and coordinating the work plan for the year ahead. The MOU process also encourages bilateral consultations among senior drug control officials. In 1998, such meetings, known as High Level Bilateral Meetings on Drug Control (HILB), were formalized as an integral part of the MOU coordinating structure.





The Mekong MOU on Drug Control

Subregional Action Plan – prioritizing “Action”

The Sub-regional Action Plan (SAP) is the engine that drives the MOU process. It provides a strategic outline for collaborative efforts of MOU signatories and puts into place action-oriented programmes that assist member Governments, individually and collectively, to address illicit drug production, trafficking and abuse.

Initially established in 1995 to cover a period of three years, it was changed in 1997 to a rolling plan of action with no time limit, to be periodically revised and updated in order to better address newly emerging drug control priorities.

The tenth revision of SAP (2017-2019) has adopted recommendations from the 2016 Special Session of the United Nations General Assembly (UNGASS) on the World Drug Problem, and acknowledges the importance of the drug policy spectrum to the 2030 Agenda for Sustainable Development and the Sustainable Development Goals.

In recognizing the breadth of issues pertinent to drug policy; the SAP covers the following four thematic areas:

- I) Drugs and health;
- II) Law Enforcement Cooperation;
- III) Legal and Judicial Cooperation; and
- IV) Sustainable Alternative Development.

The SAP is primarily implemented through clearly defined activities and initiatives that address specific problems and operational weaknesses. The four thematic areas above contain individual Workplans that outline and implement these activities and initiatives.

Ultimately, these activities build the legal, institutional and operational capacities of member Governments. The SAP also facilitates in-depth and independent evaluations, which allow the MOU partners and UNODC to pinpoint problems in drug-control operations in a timely manner. The following sections explore the progress that can be made by the MOU partners in carrying out the SAP in its four sectors of activity.



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Thematic Area 1

Prioritizing drugs and health

**The Memorandum of Understanding (MOU) on Drug Control:
Sub-regional Action Plan**





The Mekong MOU on Drug Control: Sub-regional Action Plan

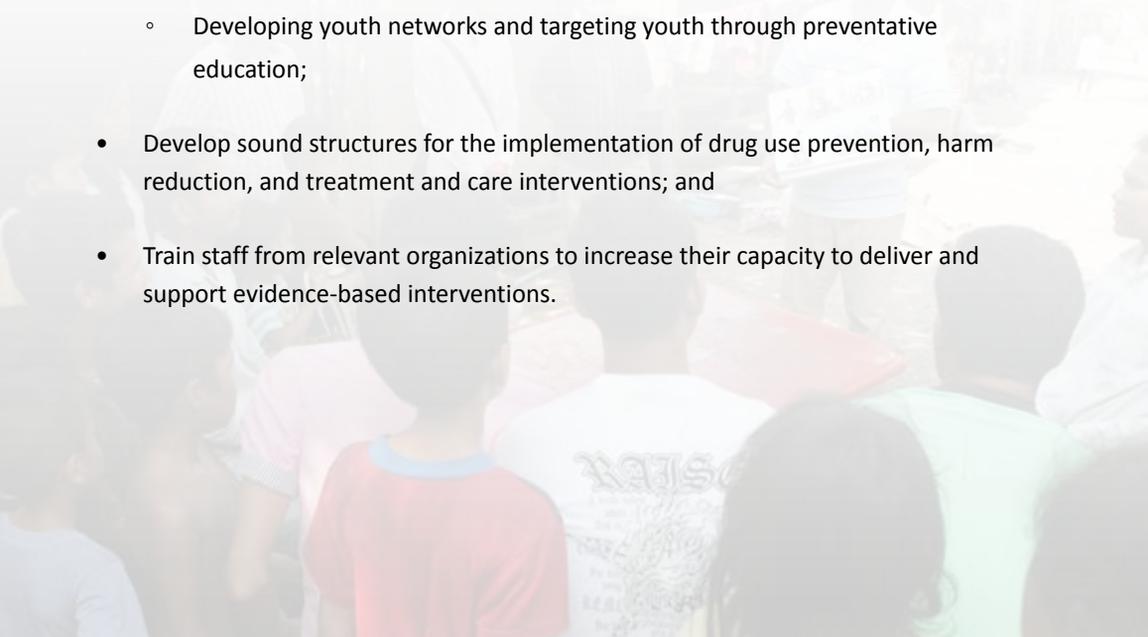
Drugs and health

The trend of increased drug use, and the burden to public health and the social welfare of citizens and communities, can be reversed through stronger cooperation on drugs and health, and through more balanced, holistic and evidence-based drug policies.

What the MOU process can achieve

The MOU process can assist to develop national and Sub-regional capacities through, amongst others, the following activities:

- Increase research and the exchange of results among MOU Governments for the planning, monitoring, and measurement of progress with regard to drug prevention, harm reduction, and treatment and care interventions;
- Enhance public health oriented policies and programmes for drug use prevention, harm reduction, and treatment and care in MOU countries, including by:
 - Strengthening prevention standards and enhancing national drug use and dependence treatment care policies;
 - Enhancing national legislation and government policies to ensure that they meet needs and align with the principles of community-based treatment; and
 - Developing youth networks and targeting youth through preventative education;
- Develop sound structures for the implementation of drug use prevention, harm reduction, and treatment and care interventions; and
- Train staff from relevant organizations to increase their capacity to deliver and support evidence-based interventions.





The Mekong MOU on Drug Control: Sub-regional Action Plan

Drugs and health

The trend of increased drug use, and the related burden to public health and to the social welfare of citizens and communities, is halted and reversed; and universal access to prevention, treatment and care interventions, and services for people who use drugs, is provided in line with international standards (evidence based drug dependence treatment and harm reduction comprehensive package as defined by UNODC, UNAIDS, WHO).

Data and information is made available for planning, monitoring and measurement of progress of prevention, harm reduction, treatment and care interventions (in particular for ATS)

MOU Governments have in effect public-health oriented policies and programmes for prevention, harm reduction, treatment and care

MOU Governments have in effect sound structures for implementation of prevention, harm reduction, treatment and care interventions

Staff from relevant organizations receive training/capacity building and are empowered to deliver and support evidence-based interventions

People who inject drugs, and people in prison settings, receive normative guidance on effective HIV prevention, treatment and care interventions for people who use Amphetamine-type Stimulants (ATS) or pharmaceutical drugs

Law enforcement officials are trained on HIV, drugs and harm reduction in partnership with the Law Enforcement Agencies and HIV Network - LEAHN/ International Police Advisory Group (IPAG) / country focal points





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Thematic Area 2

Expanding law enforcement cooperation

The Memorandum of Understanding (MOU) on Drug Control:
Sub-regional Action Plan





The Mekong MOU on Drug Control: Sub-regional Action Plan

Law enforcement cooperation

The development of law enforcement capacities and cooperation between agencies, at both national and Sub-regional levels, is integral to reducing trafficking in illicit drugs and precursor chemicals in, to and from the Sub-region.

What the MOU process can achieve

The MOU process assists to develop national and Sub-regional capacities through, amongst others, the following activities:

- Establish and maintain Border Liaison Offices (BLO) and undertake joint cross-border operations;
- Share and utilize real-time information regarding drug production and trafficking;
- Utilize UNODC platforms to enhance knowledge and skills of frontline law enforcement officers;
- Provide training and equipment to enhance interdiction capacities of law enforcement officers along main trafficking routes;
- Provide training and reference materials, and engage in threat assessments, to prevent precursor diversion;
- Enhance capacities of law enforcement agencies for drug identification and profiling by providing training and standard operating procedures, and sharing of samples among designated laboratories in the Sub-region to build a database; and
- Provide training and resources to enhance capacities of law enforcement agencies on financial investigation and asset forfeiture.



The Mekong MOU on Drug Control: Sub-regional Action Plan

Law enforcement cooperation

Reduction of illicit trafficking in narcotic drugs, psychotropic substances, and precursor chemicals in, to and from the Sub-region

BLOs established and maintained; joint cross-border operations undertaken; and standard operating procedures (SOPs) developed

Real time information on drug production and trafficking shared and used by stakeholders for intelligence-led responses; and intelligence networks established

Knowledge and skills of frontline law enforcement officers enhanced through UNODC platforms

Interdiction capacity enhanced along the main drug and precursor trafficking routes

Precursor diversion prevented in the wider region, including India and Bangladesh

Drug identification and profiling capacities enhanced

Law enforcement capacities on financial investigation and asset forfeiture enhanced





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Thematic Area 3

Increasing legal and judicial cooperation

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The Mekong MOU on Drug Control: Sub-regional Action Plan

Legal and judicial cooperation

Increased international legal and judicial cooperation between MOU Governments is needed to improve evidence exchange, and judicial responses and outcomes.

What the MOU process can achieve

The MOU process can assist to develop national and Sub-regional capacities through, amongst others, the following activities:

- Enhance capacities of judges, prosecutors and law enforcement officials to ensure correct application of national drug legislation during investigations in prosecutions, and the execution of international requests for Mutual Legal Assistance (MLA) in drug-related cases.
- Improve execution of Mutual Legal Assistance (MLA) and extradition requests for drug-related investigations and procedures through:
 - Ratification and implementation of legislation with regard to international legal cooperation;
 - Provision of UNODC's MLA Request Writer Software to relevant judicial, prosecutorial, and national agencies; and
 - Establishment of mechanism for cooperation among MOU Governments on financial investigations; and
- Strengthen international judicial cooperation in the areas of asset seizure and asset recovery through:
 - Ratification and implementation of appropriate legislation and agreements between MOU Governments; and
 - Establishment of mechanism on cooperation among MOU Governments on asset seizure and asset recovery.





The Mekong MOU on Drug Control: Sub-regional Action Plan

Legal and judicial cooperation

Reduction of the incidence of drug-related transnational organized crime

Capacity of judges, prosecutors, and law enforcement officials improved to correctly apply national drug control legislation during investigations and prosecutions, and to execute requests for international assistance in drug-related cases

International judicial and prosecutorial cooperation strengthened on MLA and extraditions

International judicial cooperation strengthened to improve cooperation in asset seizure and asset recovery





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Thematic Area 4

Promoting sustainable alternative development

**The Memorandum of Understanding (MOU) on Drug Control:
Sub-regional Action Plan**





The Mekong MOU on Drug Control: Sub-regional Action Plan

Sustainable alternative development

Providing sustainable Alternative Development (AD) and livelihood opportunities for current/former illicit crop producing communities is integral to reducing illicit opium production.

What the MOU process can achieve

The MOU process assists to develop national and Sub-regional capacities through, amongst others, the following activities:

- Sustain advocacy, programme development and resource mobilization efforts, including from international donors and civil society, by:
 - Developing a strategy on improving the health and human security of opium farmers;
 - Promoting the success of sustainable AD programmes through site visits, training and advocacy;
 - Conducting training to exchange information and share best practices on sustainable alternative development; and
 - Promoting principles that guide successful AD programmes.
- Integrate AD programmes that target illicit drug crops into national drug control plans and policies, with a focus on sustainability, by:
 - Organizing and conducting a regional forum with participation from relevant agencies and practitioners (including from provincial levels) from MOU Governments;
 - Promoting the implementation of the United Nations Guiding Principles on Alternative Development for effective AD programmes; and
 - Aligning AD efforts with wider development agendas, including the 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs), including but not limited to Goals 1 and 8.
- Implement AD programmes and enhance communication and coordination between MOU Governments to support existing programmes and open new areas for AD.
- Conduct, verify and report annual opium crop monitoring and assessments.



The Mekong MOU on Drug Control: Sub-regional Action Plan

Sustainable alternative development

Illicit opium production eliminated and sustainable alternative livelihood opportunities for current / former illicit crop producing communities provided

AD programmes that target illicit drug crops integrated into national drug control plans and policies, with a focus on sustainability

AD programmes implemented, and communication and coordination enhanced between MOU Governments to support existing programmes and open new areas for AD

Annual opium crop monitoring and assessments conducted, verified and reported



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Impact

Reduced threats to human security in the sub-region from illicit drug production, trafficking and use

1. Drugs and health

Halt and reverse the trend of increased drug use and related burden to public health and to the social welfare of citizens and communities in MOU countries; and provide universal access to prevention, treatment and care interventions, and services for people who use drugs, in line with international standards (evidence based drug dependence treatment and harm reduction comprehensive package as defined by UNODC, UNAIDS, WHO)

Outcome 1 - Data and information is made available for the planning, monitoring, and measurement of progress with regard to drug prevention, harm reduction, treatment and care interventions, in particular for ATS, through an increased number of research studies and the exchange of their results between MOU Governments

Outcome 2 - Scale-up of public health-oriented policies and programmes for drug prevention, harm reduction, treatment and care by MOU Governments, and promote and advocate healthy lifestyles

Outcome 3 - Sound structures for the implementation of drug use prevention, harm reduction, treatment and care interventions are developed by MOU Governments

Outcome 4 - Training provided to staff from relevant organizations in order to increase their capacities to deliver and support evidence-based interventions

Outcome 5 - Development, adaptation and dissemination of normative guidance on effective HIV prevention, treatment and care interventions for people who use Amphetamine-type Stimulants (ATS) or pharmaceutical drugs, people who inject drugs, and people in prison settings

Outcome 6 - Advocacy, training, and raising awareness among, law enforcement officials on HIV, drugs and harm reduction in partnership with the *Law Enforcement Agencies and HIV Network - LEAHN/ International Police Advisory Group (IPAG) / country focal points*

2. Law enforcement cooperation

Reduce illicit trafficking in narcotic drugs and psychotropic substances (as well as precursor chemicals and New Psychoactive Substances) in, to and from the Sub-region

Outcome 1 - Border Liaison Offices (BLO) are established and maintained; joint cross-border operations are undertaken; and Standard Operating Procedures (SOP) are developed

Outcome 2 - Real-time information regarding drug production and trafficking is shared and utilized by stakeholders for intelligence-led responses; and networks for intelligence sharing and exchange are established

Outcome 3 - Knowledge and skills of frontline law enforcement officers are enhanced through UNODC platforms

Outcome 4 - Interdiction capacity of law enforcement officers are enhanced along the main drug and precursor trafficking routes

Outcome 5 - Precursor diversion is prevented in the wider region, including India and Bangladesh

Outcome 6 - Enhance capacities of law enforcement agencies for drug identification and profiling

Outcome 7 - Law enforcement capacities on financial investigation enhanced and asset forfeiture

Outcome 8 - Enhance countermeasures against New Psychoactive Substances (NPS)

3. Legal and judicial cooperation

Reduce the incidence of drug-related transnational organized crime through judicial cooperation among MOU Member States

Outcome 1 - Capacity of judges, prosecutors, and law enforcement officials is enhanced to ensure the correct application of national drug control legislation during investigations and prosecutions, and the execution of international requests for Mutual Legal Assistance (MLA) in drug-related cases

Outcome 2 - International judicial and prosecutorial cooperation is strengthened in order to improve the execution of MLA and extradition requests between MOU Governments in relation to drug-related investigations and prosecutions

Outcome 3 - International judicial cooperation is strengthened in order to improve cooperation in the areas of asset seizure and asset recovery

4. Sustainable alternative development

Reduce illicit drug crop cultivation and production and provide sustainable alternative livelihood opportunities for current/former illicit drug crop producing communities

Outcome 1 - Advocacy, programme development and resource mobilization efforts sustained, including the mobilization of support from international donors and civil society groups

Outcome 2 - AD programmes that target different illicit drug crops, including opium and marijuana, integrated into national drug control plans and policies, with a focus on sustainability

Outcome 3 - AD programmes implemented, and communication and coordination enhanced between MOU Governments in order to support existing programmes and open new areas for AD

Outcome 4 - Annual opium crop monitoring and assessments conducted, verified and reported



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