

8 October 2009

Original: English

**Thirty-third Meeting of Heads of National Drug
Law Enforcement Agencies, Asia and the Pacific**

Denpasar, Indonesia, 6-9 October 2009

Draft report*Rapporteur:* Gautam Prasad CHANDOLIA (India)**Addendum****Consideration of topics by working groups****(a) Illicit drug trafficking: emerging trends across the region**

1. The working group on the above topic met during the second and third meeting, held on 6 and 7 October 2009. In its consideration of the topic in question, the working group formulated the following observations:

(a) West African syndicates criminal activities have been identified operating in many Asian and South East and West Asian Member States. These syndicates tend to use as couriers are poor and ill-educated women who are recruited initially without having a clear understanding of their real task. Several countries report that these criminal syndicates have become increasingly active, difficult to investigate (given the use of coded language) and do not hesitate to enter legitimate businesses in order to cover their criminal actions.

(b) A lack of knowledge concerning national points of contact, as well as the legal and technical limitations across the region have been identified as reasons why controlled deliveries related to drug trafficking are performed on an irregular basis.

(c) Countries in the region have different and inconsistent legislation to deal with the criminal acts of drug traffickers.

2. The working group drew the following conclusions:

(a) In order to improve their efficiency and be better prepared to dismantle these criminal networks, law enforcement agencies in the region should have a

better knowledge and understanding of West African syndicates' organization, trafficking techniques and connections.

(b) Law enforcement agencies undertaking controlled deliveries should prepare a set of standard operating procedures (SOPs), which can be regionally accepted to undertake these operations, and accompany these instructions with specific information (e. g. containing national points of contact and legal requirements) for controlled deliveries. The SOP introduced by the Government of Indonesia was welcomed as a useful standard template on which controlled deliveries could be developed between countries, with amendments and amplifications to suit the requirements of circumstance.

(c) Effective national legislation in harmonization with neighbouring States is a key component in the fight against drug trafficking and more broadly organized crime.

3. The working group adopted the following recommendations:

(a) To support the appropriate action needed to tackle the threat from West African syndicates, Governments should encourage their law enforcement authorities, in close cooperation with the INTERPOL regional office in South East Asia, to create a technical Working Group to act as a repository of expert knowledge on the operations of West African syndicates. This should contribute towards a better understanding of the role and functioning of such syndicates' criminal behaviour, patterns and techniques as well as the manner in which joint investigation teams can be established to counteract them.

(b) Governments should ensure that their law enforcement agencies have a prepared set of Standard Operating Procedures to support controlled deliveries, together with details of all the regions' national point of contacts, legal requirements and constraints and any special requirements, which will be compiled into a consolidated handbook for distribution to interested agencies. It was recommended that a Working Group be established to agree upon a standard SOP template for the Asia-Pacific countries which could be presented at the next meeting of HONLEA, Asia and the Pacific. The Indonesian SOP which was introduced at the meeting, and the existing UNODC template could be drawn upon in this context.

(c) With the aim of enhancing their efficiency in tackling organized crime, Governments should ensure that their legal framework is in compliance with international standards set by the United Nations Convention on Transnational Organized Crime and the international drug control conventions.

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Draft report*Rapporteur:* Gautam Prasad CHANDOLIA (India)**Addendum****Consideration of topics by working groups****(b) Measures to counter the manufacture of amphetamine-type stimulants in the region**

1. The working group on the above topic met during the third and fourth meeting, held on 7 October 2009. In its consideration of the topic in question, the working group formulated the following observations:

(a) As in other parts of the world, the region of South East Asia is badly impacted by the trafficking of ATS, produced both locally or regionally by using smuggled or diverted pharmaceutical precursors.

(b) Over the last years more sophisticated clandestine laboratories (e. g. mega-labs) have been discovered in which larger quantities of pharmaceutical precursors are used, often stored under insecure and dangerous conditions.

(c) Increasing quantities of precursors are circulating in the region and being seized. Thailand has the region's only commercial incinerator to dispose of seized precursor chemicals, while the majority of the States have no technical capacity to properly dispose of such chemicals. It was also recognized that the UN guidelines on safe disposal of chemicals were useful, although they were designed for small quantities of precursors and essential chemicals and, not for the large volumes currently being seized. It was also recognized that the open-air destruction of these chemicals posed serious environmental concerns.

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(d) Only one Member State in the region is currently using ATS, heroin and cocaine signature analysis programmes in determining source location for illicit drugs.

2. The working group drew the following conclusions:

(a) Even if efforts have been made nationally and regionally, with regard to pharmaceuticals used as precursors in the production of ATS, there are still difficulties in maintaining effective control over these products.

(b) Updated and accurate lists of national points of contact regarding those who are trading in precursors chemicals should be available at regional and at international levels.

(c) Given the increase of precursors chemicals discovered regionally, countries are facing difficulties in storing and disposing of precursors chemicals in an environmentally-safe way.

(d) The effectiveness of the region's law enforcement would benefit from signature analysis programmes to gather scientific intelligence on the illicit drugs seized.

3. The working group adopted the following recommendations:

(a) To maintain stringent controls over the licit trade in precursor chemicals, Governments should act to reinforce their national monitoring and control mechanisms with regard to those chemicals used in the manufacture of amphetamine-type stimulants.

(b) Governments should support increased regional cooperation between their law enforcement, forensic sector and chemical control authorities, to ensure the safe and environmentally friendly approach for disposal of seized chemicals and products of clandestine laboratories. To support this outcome, Governments of the region should form a small Working Group to review the matter and make recommendations to respond to the anticipated increase in clandestine laboratory seizures and how to deal with the drugs and precursors seized in such situations. The assessment should determine (a) the extent of the problem and (b) explore what are the most cost-effective options available to countries to address it. The Working Group may make recommendations based on the UN guidelines.

(c) To determine the source, location and trafficking patterns of illicit drugs and increase the effectiveness of their national drug law enforcement response, Governments should support the development of drug signature analysis programmes and encourage the sharing of this research through regional and international collaboration.

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Draft report*Rapporteur:* Gautam Prasad CHANDOLIA (India)**Addendum****Consideration of topics by working groups****(c) Removing the profit from drug trafficking**

1. The working group on the above topic met during the fourth and fifth meeting, held on 7 and 8 October 2009. In its consideration of the topic in question, the working group formulated the following observations:

(a) As in other parts of the world, countries in the region are facing the problem of the laundering of ill-gotten assets originated from organized crime activities, including drug trafficking. Hawala is one of the techniques used in the region to send and receive money all around the world. Hawala is a confidence-based system which can transfer money very efficiently and smoothly. Many Hawala dealers are legitimate and registered in some countries. However, some are running parallel illegitimate alternative remittance businesses which, in addition to transferring legitimate funds are also misused by criminals and terrorists to move tainted cash swiftly around the world. Countries in the region are willing to tackle this issue in a coordinated way.

(b) Detection and tracing of ill-gotten assets in the region is an issue requiring attention and few successful anti-money laundering investigations have taken place. Few countries in the region have adopted a non-conviction-based system regarding the forfeiture of tainted assets, thereby precluding an important tool among effective drug law enforcement responses.

2. The working group drew the following conclusions:

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(a) With regard to the alternative remittance system named Hawala, countries in the region are often lacking the necessary legal framework, regulations and structures to control and investigate, when necessary, these lawful and unlawful activities.

(b) Non-conviction-based asset forfeiture (civil forfeiture) is a useful tool to ensure that ill-gotten assets are removed from their owner.

3. The working group adopted the following recommendations:

(a) In order to enhance their capacity to remove profits from drug trafficking and more broadly from organized crime, following international standards in this matter, Member States should ensure that necessary laws and regulations are in place to register and monitor legitimate Hawala activities.

(b) Through international cooperation, intelligence gathering and the development of proper tools, Member States in the region should enhance their fight against money laundering misusing alternative remittance systems.

(c) Where they have not already done so and if constitutional provisions allow for it, Governments of the region should take steps to enact non-conviction-based asset forfeiture laws (civil forfeiture) and accordingly to increase their efficiency in confiscating ill-gotten assets originating from drug trafficking and organized crime.
