

(b) Supply reduction and related measures; responses to drugs-related crime; countering money-laundering and promoting judicial cooperation (“drugs and crime”)

(i) Domestic, regional and cross-regional responses to drugs-related crime countering money-laundering including, where appropriate, in the connection with the financing of terrorism, promoting judicial cooperation in criminal matters

Cross-regional responses and cooperation

In the area of regional and cross-regional responses to drugs-related crime and promoting cooperation in criminal matters, the United Nations Office on Drugs and Crime (UNODC) launched the “Networking the networks” initiative, aimed to improve coordination and cooperation between regional and international criminal intelligence centres in support of exchange of criminal intelligence and potentially for joint operations for countering all forms of organized crime. Meetings of the “Networking the networks” initiative in 2013 and 2014 brought together law enforcement experts and real case investigators from Central and South-East Asia, Eastern Africa, Europe, Gulf States, as well as Interpol and the World Customs Organization (WCO), to consider ongoing criminal cases with inter-regional links and explore how the regional and international criminal intelligence centres could support these investigations.

In the area of border management, UNODC activities include operational and normative work such as providing technical assistance to Member States with regard to enhancing border security by land, air and sea; prevention and detection of drugs-related crime; (intelligence-based) investigation of these crimes and the effective prosecution of those involved in drugs-related crime. As border-related activities often include different law enforcement agencies (customs, police, port authorities), a coordinated border management approach is required, involving international cooperation and coordination.

Container Control Programme

In this context, the United Nations Office on Drugs and Crime and the World Customs Organization have been jointly implementing the UNODC-WCO Container Control Programme (CCP) since 2004. The CCP has a global reach and aims to fortify the structures and processes which allow for the application of sustainable laws for States at selected land and seaports and, most recently airports (CCP-Air), so as to minimize the exploitation of containerized freight for the illicit trafficking of drugs, and other transnational organized crime activities. For greater efficiency, the Programme maintains strategic alliances with various entities within States with operational ports. The programme brings together customs, police and the private sector, amongst others, to strengthen and promote alliances between customs, trade and enforcement communities, in an effort to prevent the abuse of legitimate commercial trade for illicit activities.

Increased participation in growing international trade is an essential part of sustainable development, but many countries do not have the capacity to establish effective trade security and facilitation standards at their container ports. In the international trade supply chain, an estimated 600 million container movements, accounting for some 90 per cent of the world's cargo, take place around the globe annually. The selection and inspection of containers have been a challenge for law enforcement agencies as containers are being abused for illicit activities such as smuggling of narcotics, drugs, CBRNE¹ materials, precursor chemicals, protected wildlife and timber and other contraband.

During the 10 years of existence, inter-agency Port Control Units established under the CCP have been instrumental in seizing more than 100 tons of cocaine, nearly three tons of heroin and 60 tons of cannabis as well as over 1200 tons of drug precursor chemicals and significant quantities of fraudulent medicines, counterfeit goods, hazardous waste as well as forest products and endangered wildlife.

Money laundering

Money laundering involves the conversion of proceeds of crime into funds with an apparently legal source. Money laundering provides the fuel for drug dealers, terrorists, arms dealers, and other criminals, including corrupt officials, to operate and expand their criminal enterprises and to widen their economic and social influence. Moreover, criminals misuse financial systems and potentially any entity providing financial services to further a wide range of illicit activities. Left unchecked, money laundering can erode the integrity of financial, economic and administrative institutions, and undermine public and international confidence in their financial and judicial systems.

The Global Programme against Money Laundering, Proceeds of Crime and the Financing of Terrorism (GPML) supports Member States to detect, investigate and disrupt the financial infrastructure which sustains criminal and terrorist networks. Financial investigators can also be used to support investigations into non-financial crimes — and it is here that they are often seen to be an invaluable asset to an investigation team. Criminals and terrorists leave behind a rich trail of information while they conduct their financial activities — GPML supports Member States to collect, analyse and use this information in order to reduce risks from criminal and terrorist networks. The risks posed by criminals and terrorists are significantly increased when they share profit streams and expert financial service providers — GPML supports Member States to adopt an intelligence-led approach to understanding the critical vulnerabilities in these illicit business models and then to deliver a sustained disruption strategy which draws on a partnership across national agencies and together with the private sector and civil society.

Organized Crime

¹ Chemical, biological, radiological, nuclear, explosive.

The Global Programme for Strengthening Capacities to Prevent and Combat Organized and Serious Crime (GPTOC) provides technical assistance to States to effectively implement the Organized Crime Convention in order to deal with different forms of organized and serious crime and to promote regional and international cooperation. These objectives are achieved through the development and dissemination of tools, assessments and awareness-raising, training and the provision of advisors. The programme has a focus on international cooperation in criminal matters and other cross-cutting issues. Project components include: establishing and linking regional networks of central authorities and prosecutors dealing with organized crime, such as the Network of Prosecutors Specialized against Organized Crime of Central America (REFCO) and the Network of West African Central Authorities and Prosecutors (WACAP), and networks focused on criminal intelligence and investigations. The programme supports capacity building and institutional strengthening in areas of criminal intelligence, covert investigations, complex prosecutions, international cooperation in criminal matters, witness protection and the trafficking in fraudulent medicines.

Judicial cooperation

Judicial cooperation in criminal matters is further supported by the ongoing maintenance of different tools, in particular the directory of competent national authorities (aimed at facilitating contact among national authorities designated to receive, respond to and process requests for mutual legal assistance, extradition, transfer of sentenced persons, as well as requests for cooperation to suppress illicit drug trafficking and the smuggling of migrants by sea),² the Mutual Legal Assistance Request Writer tool (aimed at assisting the casework practitioner through the request process for each type of mutual assistance),³ and the legal library on drug control (a database providing access to various laws and regulations, as adopted by States and territories in order to implement the three international drug control conventions).⁴

(ii) Addressing emerging issues including new psychoactive substances, precursors and the misuse of the Internet

New Psychoactive Substances

The threat of synthetic drugs is one of the most significant drug problems worldwide. After cannabis, amphetamine-type stimulants (ATS) are the second most widely used drugs across the globe, outstripping the use of cocaine and heroin. Along with ATS, the continued growth of the new psychoactive substances (NPS) market over the last years has become a policy challenge and a major

² Available at: <http://www.unodc.org/compath/en/index.html>.

³ Available at: <http://www.unodc.org/mla/en/index.html>.

⁴ Available at: <http://www.unodc.org/enl/index.html>.

international concern. A growing interplay between NPS and illicit drug markets is being observed. By December 2014, the emergence of over 543 different NPS had been reported in more than 90 countries and territories.

Further to the 2009 Political Declaration, the UNODC Global SMART programme continues to improve understanding of the phenomena of the intertwined ATS and emerging NPS markets, through monitoring activities and enhancing capacity of Member States in priority regions to generate, manage, analyse, report and use synthetic drug information to design effective policy and programme interventions. Global SMART provides capacity building support in East and South-East Asia, the Pacific region, the Near and Middle East, Latin America and Africa and regularly reviews the global NPS situation through knowledge products such as *The challenge of new psychoactive substances* published in March 2013⁵, pursuant to CND Res 55/1 (2012) and the 2014 *Global Synthetic Drugs Assessment*⁶.

Further to CND Resolution 55/1, entitled “Promoting international cooperation in responding to the challenges of new psychoactive substances”, the Global SMART programme convened two international expert consultations in 2013 and 2014 with the participation of relevant international and regional organizations as well as subject-matter experts from national drug control agencies, health departments and law enforcement agencies of selected countries to share best practices and identify options for a response to the problem.

In 2013, UNODC established the first *Global Early Warning Advisory* on NPS⁷. This provides for the early identification of emerging trends, serves as a repository of information on national legislative responses and laboratory analytical data and provides the evidence base for international responses to the NPS problem, for example by providing input to the discussions at the 36th meeting of the WHO Expert Committee on Drug Dependence on bringing NPS under international control.

The 2009 *Political Declaration and Plan of Action on International Cooperation against the World Drug Problem*⁸ noted the critical importance of forensic and scientific laboratory data in understanding the problem of synthetic drugs and the range of products on the market, as well as the use of such information in their monitoring and investigation. The identification and detection of the NPS, however, remains a major obstacle to addressing the problem due to the sheer numbers and diversity of NPS. The UNODC Global Scientific and Forensic Services programme has been assisting laboratories in Member States through the development and publication of recommended methods of analysis of various categories of NPS,

⁵ www.unodc.org/documents/scientific/NPS_2013_SMART.pdf.

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http://www.unodc.org/documents/scientific/2014_Global_Synthetic_Drugs_Assessment_web.pdf.

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http://www.unodc.org/documents/ungass2016/CND_Preparations/UNODC_EWA_UNGASS.pdf.

⁸ <http://www.unodc.org/documents/ungass2016/V0984963-English.pdf>.

provision of chemical reference materials and reference spectra for their analysis and by organizing ‘proficiency tests’ through its biannual International Collaborative Exercises, in which 180 laboratories in 60 countries and territories are currently enrolled, to improve the capacity of laboratories to identify commonly encountered NPS in seizures and biological specimen.

In addition, Project ION (International Operations on NPS) is an international operational initiative, launched by the International Narcotics Control Board (INCB) pursuant to Commission on Narcotic Drugs (CND) resolutions 55/1 (2012) and 56/4 (2013). Project ION supports national authorities’ efforts in preventing non-scheduled new psychoactive substances that are being abused from reaching consumer markets. Project ION activities include the coordination, collection and communication of strategic and operational information and intelligence related to suspicious shipments of, trafficking in, or manufacture or production of NPS. The Project ION Incident Communication System (IONICS) was launched in December 2014. As at 1 February 2015, 100 Governments and seven regional and international agencies have provided at least one Project ION focal point, while IONICS has 120 registered users. In the first month of operation, the total quantity of NPS seized in incidents communicated through IONICS amounts to more than 375 kilograms.

Precursors

Precursor control is established under article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, tasking the International Narcotics Control Board (INCB) to monitor the control of chemicals used in the illicit manufacture of drugs and assist Governments in preventing the diversion of those chemicals into the illicit traffic. INCB is also responsible for assessing chemicals for international control. Since October 2014, with the inclusion of alpha-phenylacetoacetonitrile (APAAN) in Table I, 16 substances are included in Table I and eight in Table II of the 1988 Convention. INCB has developed several tools to improve the monitoring of international trade and the prevention of diversion of substances from this trade. Projects *Prism* and *Cohesion* are focused on precursors of amphetamine-type stimulants (ATS) and cocaine and heroin precursors respectively, and provide an operational platform for international cooperation in diversion prevention. 134 Governments actively participate in project PRISM and 92 participate in project Cohesion.

Special time-bound operations have in the past targeted various precursors. Project *Prism* carried out five operations in the past seven years, shifting the focus from substances under control to non-scheduled substances and to specific regions. Project *Cohesion* implemented three operations aiming at the diversion of acetic anhydride. The operations led to the seizure of thousands of tons of chemicals, preventing them from reaching illicit markets. The results of the operations also supported Governments in reviewing their risk analysis indicators to identify suspicious shipments, in improving the

controls on non-scheduled substances and in reviewing domestic legislation.

The tools available to support Governments include INCB's *PEN Online* system, an electronic communication system for the authorities of exporting and importing countries. 150 countries are actively using the system to pre-notify their chemical exports. Other tools in support of licit trade monitoring include the INCB *Guidelines for a voluntary code of practice for the chemical industry* and a model Memorandum of Understanding between governments and private sector partners, as well as the International Special Surveillance List (ISSL), which is maintained by INCB and lists a number of substances that have been identified by Member States as being used as substitute chemicals in the illicit manufacture of drugs, and should be the subject of voluntary monitoring by the industry. To facilitate international cooperation in chemical investigations, the Precursors Incident Communication System (PICS) was developed, an online platform for Governments to communicate in real-time with each other on incidents involving scheduled and non-scheduled chemicals. Over 90 Governments and have registered nearly 400 users and more than 1250 incidents have been communicated. The exchange of real-time information led to several joint investigations and backtracking investigations among Governments.

The 2014 INCB *Annual Report on Precursors* is dedicated to a review and assessment of the effectiveness and challenges of international precursor control, as a contribution to the 2016 United Nations General Assembly Special Session (UNGASS) on the world drug problem.

Misuse of the internet

The use of the internet makes drug trafficking easier and investigating and collecting evidence more complex, notably in transnational criminal cases.

Since the mid-1990s, the internet has increasingly been used by drug traffickers to sell illicit drugs or the chemical precursors required to manufacture such drugs. At the same time, illegal internet pharmacies advertise illicit sales in prescription medicines, including substances under international control, to the general public. These substances are controlled under the three international drug control treaties and include opioid analgesics, central nervous system stimulants, tranquillizers and other psychoactive substances. Many pharmaceuticals offered for sale in this way are either diverted from the licit market or are counterfeited—constituting a threat to the health of consumers. The fact that illegal internet pharmacies conduct their operations from all regions of the world and are able to relocate their business easily when a website is closed down means that taking effective measures in this area is essential.

In 2009, the INCB published *Guidelines for Governments on Preventing the Illegal Sale of Internationally Controlled Substances through the Internet*, covering in particular the regulation of internet service providers (ISP) and internet pharmacies. These guidelines recommend establishing specific obligations for ISPs, such as the obligation to cooperate in the investigation of drug trafficking offences and the obligation to shut down websites and domains which carry out

illicit activities. ISPs should also be required to keep records of identities of owners of internet addresses for at least one year. Entities providing internet access should be submitted to keep records of their customers for at least six months.

With regard to internet pharmacies, the guidelines recommend that they should be licensed, and in case of operations distributed over different countries, required to submit each segment of these operations (such as website, storage, and shipping) to licensing by the country where activities take place. They should adhere to the same standards as other pharmacies and should keep records for at least two years.

Cybercrime

The overarching objective of the Global Programme on Cybercrime is to prevent and combat cybercrime in a holistic manner through the delivery of crime prevention and criminal justice technical support, based on UNODC assessment protocols and operational technical assistance tools. These objectives are achieved through the development and dissemination of tools, assessments and training of law enforcement personnel on cybercrime investigations and digital forensics and training of prosecutors on electronic evidence training. The main programme activities are presently in Central America, Eastern Africa and Southeast Asia, and the programme supports capacity building and institutional strengthening in areas of cybercrime prevention, investigation, prosecution, and electronic evidence handling.