



ASEAN INTER-PARLIAMENTARY ASSEMBLY

32<sup>nd</sup> GENERAL ASSEMBLY

18 – 24 SEPTEMBER 2011, PHNOM PENH, KINGDOM OF CAMBODIA

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Res32GA/2011/Soc/05

RESOLUTION ON

**THE HARMONIZATION OF ILLEGAL DRUG LAWS ON THE CAPTURE AND SEIZURE OF ASSETS USED IN OR POSSESSED FROM DRUG-RELATED CASES; THE CONTROL OF REACTANTS AND PRECURSORS AND ON DEMAND REDUCTION INTERVENTIONS; AND THE CREATION OF A TECHNICAL WORKING GROUP**

**The Thirty Second AIPA General Assembly:**

**Recalling** previous resolutions by the AIPA and recommendations by the AIFOCOM to prevent and combat the drug menace towards ensuring parliamentary contribution to the regional joint efforts of dealing with the drug menace;

**Recalling further that** during the 31st AIPA General Assembly in Ha Noi, Viet Nam, on September 19 to 25, 2010, Resolution No.31GA/2010/Soc/04 on Facilitating the Implementation of ASEAN Inter-Parliamentary Assembly (AIPA), Resolutions on Preventing and Combating Illegal Drugs, and to Improve AIFOCOM Activities, recommending that the 1st AIPA Caucus report on the Harmonization of illegal drug laws focusing on the capture and seizure and assets used in or possessed from drug-related cases; on the control of reactants and precursors; and on demand reduction interventions be brought up for review and discussion at the 8th AIFOCOM to be held in Phnom Penh, Cambodia, 2011;

**Acknowledging** the ASEAN Declaration for a Drug-Free ASEAN Community by 2015;

**Concerned that** the Southeast Asian nations continue to suffer from the detrimental effects of illegal drugs, the proliferation of criminal acts which affect the economic growth, poverty reduction, viability and vitality of the region;

**Noting that** the illegal drug situation in the ASEAN region has turned from bad to worse as per report of the United Nations Office on Drugs and Crime (UNODC) dated December 13, 2010;

**Knowing that** many resolutions have been approved by the AIPA General Assembly for the last seven (7) years, acknowledging the progress that has been made by member countries but more efforts needs to be done;

**Mindful that** if the problem on illegal drugs is not curbed, it will escalate to uncontrollable levels, further strengthening criminal networks, destabilizing the ASEAN states' political structure, and eroding the health and moral fiber of society;

**Recognizing that** the limited operational effectiveness of the AIFOCOM and seeing that the implementation of AIPA resolutions on preventing and combating illegal drugs has been wanting especially requiring close and strong cooperation with relevant stakeholders, including ASEAN Senior Officials on Drugs Matters;

**Recognizing further** the limited harmonization of illegal drug laws in ASEAN region in term of punishment and legal measures to drug offenses which need heaviest jail sentences against the offenders.

**Hereby resolves to:**

**Contribute** actively to the development of a drug-free ASEAN Community by 2015, through the improvement of legal frameworks and the creation of enabling conditions for ASEAN member governments to successfully implement national and regional Action Plan to prevent and combat illegal drugs;

**Call upon** all AIPA Member Countries to consider amending the existing national laws or promulgating new bills to harmonize law on illegal drugs. This process will strengthen legal cooperation; provide mutual legal assistance and sharing the intelligences, investigations and joint operations against illegal drugs;

**Call once again upon** ASOD to continue to take an active role in facilitating cooperation by inviting AIFOCOM Representatives to attend ASOD meeting as observers and establish joint efforts among the parliaments, governments and relevant non-governmental organizations in the region to fight the drug scourge;

**Urge** the ASEAN Heads of Government to launch strong executive action against the illegal drug syndicates by deploying a regional task force whose mission is to neutralize and bring to justice these merchants of deaths;

**Declare** to create a technical working group (TWG) under AIFOCOM to combat the drug menace through studying ways and means to harmonize laws in ASEAN countries on illegal drugs, and to summarize and evaluate the implementation of AIPA documents on the enhancement of a drug free ASEAN by 2015. The group will consist of MPs, officials, experts, and representatives from UN agencies. Expenditures for travel should be borne by AIPA Member Countries. While at the same time member countries are free to seek support from other sources for the aforesaid purpose. The terms and mandates of the working group are based on AIFOCOM requirements;

**Recommend** the strengthening and harmonization of laws on illegal drugs among member countries, emphasizing on the capture and seizure of the assets used in or possessed from drug-related cases, and on the control of reactants and precursors; and also on demand reduction interventions;

**Entrust** the AIPA Secretariat to continue to do its work as entrusted by 7th AIFOCOM meeting in Ho Chi Minh City to work with AIPA Parliaments in the

establishment of a Task Force to study and recommend a prescribed form of country reports on preventing and combating illegal drugs. AIPA Secretariat should conduct a clear Plan of Action for AIPA Fact-Finding Committee (AIFOCOM) to Combat the Drug Menace consistent with the ASEAN Vision.

**Adopted** this 23<sup>rd</sup> day of September 2011, during the 32<sup>nd</sup> General Assembly in Phnom Penh, Kingdom of Cambodia, 18-24 September 2011