



ASEAN INTER-PARLIAMENTARY ASSEMBLY

THE NINTH MEETING OF
THE AIPA FACT FINDING COMMITTEE (AIFOCOM)
TO COMBAT THE DRUG MENACE
10 July 2012, Hyatt Regency Hotel, Yogyakarta – Indonesia

DRAFT RESOLUTION ON
THE ESTABLISHMENT OF TECHNICAL WORKING GROUP
OF AIFOCOM

The 33rd General Assembly:

1. *Recalling* Resolution 32 GA/2011/Soc/05 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, adopted at the 32nd AIPA General Assembly held in September 2011 in Phnom Penh, the Kingdom of Cambodia;
2. *Emphasizing* the importance of harmonization of laws on illicit drugs among ASEAN Member States that will strengthen legal and mutual cooperation, provide the basis for sharing information and best practices in order to enhance ASEAN efforts in addressing the menace of drugs in the region;
3. *Emphasizing also* the urgent need to summarize and evaluate AIPA resolutions relating to the prevention and combating drug menace, and encourage their implementation to contribute to the regional efforts towards the realization of a Drug Free ASEAN from 2020 to 2015;
4. *Being aware* of the urgency of combating the drug menace in the region, and the benefit of intensifying close cooperation amongst ASEAN Member States;
5. *Stressing* the need of AIFOCOM to improve its activities and intensify strategic, concerted and comprehensive efforts in preventing and combating

illicit drugs, as endorsed by previous AIPA resolutions and, *reaffirming* our commitment on the importance of establishing Technical Working Group to support and assist the AIFOCOM in realizing this goal;

6. *Noting* that the Technical Working Group must be established and work immediately to take part in the regional efforts towards the realization of a Drug Free ASEAN by 2015;
7. *Realizing* that guideline shall be set up and agreed by AIPA Member Parliaments to execute the work of such Technical Working Group.

Hereby resolves to:

8. *Establish* Technical Working Group as a supporting body of AIFOCOM to assist AIFOCOM in improving its activities and intensifying concerted efforts to combat the drug menace;
9. *Approve* the Terms of Reference of Technical Working Group of AIFOCOM (Annex) including the agreement on the membership of the Technical Working Group that consist of parliamentarians and/or experts;
10. *Request* the AIPA Secretary General to provide necessary assistance in establishing Technical Working Group of AIFOCOM;
11. *Urge* the Technical Working Group to develop additional coordination of the working modalities, such as field studies, researches, teleconferences, other than meetings, to ensure effective and practical outcomes;
12. *Encourage* ASEAN Member States to seek further substantive and financial supports from international organizations to support the work of Technical Working Group.

**TERMS OF REFERENCE
TECHNICAL WORKING GROUP OF AIFOCOM**

I. MISSION

The missions of Technical Working Group are to work on and elaborate recommendations provided by AIFOCOM and AIPA General Assembly as well as to evaluate the implementation of AIPA documents on the enhancement of a drug free ASEAN by 2015.

The Technical Working Group will support and assist the work of AIFOCOM and to provide suggestions or recommendations for the improvement of AIFOCOM's activities.

II. MANDATE OF THE TECHNICAL WORKING GROUP

1. The Technical Working Group shall have the following tasks :
 - a. To study ways and means to harmonize laws on illegal drugs in ASEAN Member States;
 - b. To evaluate and provide recommendation on the implementation of AIPA resolutions towards the establishment of Drug Free ASEAN by 2015;
 - c. To assist the President of AIPA in developing a model of cooperation for regional legislation to confiscate all assets derived from the commission of drug crimes and to share the confiscated assets located in another country as stipulated in the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances 1998;
 - d. To provide AIPA report on the progress of implementation of Plan of Action to Combat Drug Menace 2012-2015 and the legislative cooperation on exchange of drug intelligence and transnational controlled delivery.

2. In performing its task, the Technical Working Group shall cooperate and establish coordination with related ASEAN mechanisms such as ASEAN Ministerial Meeting on Transnational Crime (AMMTC), ASEAN Finance Ministers' Meeting (AFMM), ASEAN Chiefs of National Police, ASEAN Senior Officials' Meeting on Drug Matters (ASOD), ASEAN Directors-General of Customs, the ASEAN Directors-General for Immigration, as well as United Nations on Drugs and Crime (UNODC), and other relevant stakeholders as necessary.

III. GUIDANCE OF THE WORK

The work of Technical Working Group should be under guidance which is decided by the meeting of AIFOCOM.

It shall ensure timely and adequate communication, consultation and interaction with AIPA **Member Parliaments** and all relevant stakeholders of ASEAN.

It shall adopt a realistic approach with feasible, strategic and result-oriented recommendations in order to combat drugs menace and ensure the implementation of AIFOCOM recommendations.

The report of the Technical Working Group meeting and its recommendation should be submitted to Chair of AIFOCOM.

IV. MEMBERSHIP

The Technical Working Group shall consist of 1 (one) parliamentarian and/or 1 (one) expert from each of AIPA member parliaments. Membership of the Group shall also take account of the importance of gender representation.

V. CHAIRMANSHIP

The Chair of the Technical Working Group shall be the Representative from the AIPA member parliament holding the chairmanship of AIPA.

The Chair of the Technical Working Group shall exercise his or her role in accordance with this TOR, which shall include leading the meetings of the Group and presenting report and recommendation to the AIFOCOM.

VI. TERM OF OFFICE

The Technical Working Group serves a term of three years or as mandated by AIFOCOM.

VII. MEETINGS

The Technical Working Group should meet at least once in a year. The meeting of Technical Working Group should be conducted 3 (three) months prior to the meeting of AIFOCOM.

As and when appropriate, the Technical Working Group may hold additional meetings.

VIII. HOST OF THE MEETINGS

1. AIPA Member Parliament who is the host of the meeting of AIFOCOM shall be the host of the meeting of Technical Working Group.
2. The host of Technical Working Group meeting responsible for all expenditures related to the organization of the meeting as well as accomodation for delegates, except for travel expenditures should be borne by each AIPA Member Parliaments.
3. AIPA member parliaments shall offer to host the additional meetings of the technical working group.
