



## ASEAN INTER-PARLIAMENTARY ASSEMBLY

### REPORT OF THE EIGHTH MEETING OF THE AIPA FACT-FINDING COMMITTEE (AIFOCOM) TO COMBAT THE DRUG MENACE

#### INTRODUCTION

- 1 The 8th meeting of the AIPA Fact Finding Committee (AIFOCOM-8) to Combat the Drug Menace was held from the 25<sup>th</sup> to 29<sup>th</sup> of May 2011 in Inter-Continental Hotel, Phnom Penh City, Cambodia.

#### PARTICIPANTS

- 2 The meeting was attended by delegations from AIPA Member countries, Special Observer, NACD, ASOD, and UNODC.

**Brunei** was led by Hon. Pehin Dato Haji Judin Haji Asar, **Cambodia** was led by Hon. Mr. Nim Chantara, **Indonesia** was led by Hon. Mr. Azwar Abubakar, **Malaysia** was led by H. E. Yb Datuk Dr. Wan Junaidi Tuanku Jaafar, **Singapore** was led by Hon. Mr. Charles Chong, and **Vietnam** was led by Hon. Mr. Ngo Duc Manh. **Special Observer Myanmar** was led by Hon. Mr. U Maung Oo, **AIPA Secretariat** was led by Hon. Antonio Vesolo Cuenco, **ASEAN Senior Officials on Drug Matters (ASOD)** was led by Pol. Com. Gen. Drs. Gories Mere, **National Authority for Combating Drug (NACD)** was led by H. E. Maj. Gen. Meas Vyrith, Deputy Secretary General of NACD, **Representative of the United Nations Office on Drugs and Crime in Cambodia (UNODC)** was led by Ms. Sonia Bezziccheri, and **Representatives of Ministry of Social Affairs, Veteran and Youth Rehabilitation and Ministry of Interior of Cambodia** also presented.

The Philippines, Lao PDR, and Thailand sent apologies for not being able to attend the meeting. However, The Philippines was represented by former Congressman, Atty Roque Ablan, Jr. and Lao PDR was represented by First Secretary and Deputy Head of Mission (Lao Embassy to the Kingdom of Cambodia), Mr. Boun Inthabandith.

- 3 *The list of delegates is attached in Annex A.*

#### OPENING CEREMONY

- 4 The Opening Ceremony of the Eighth Meeting of the AIPA Fact-finding Committee (AIFOCOM) to Combat the Drug Menace was opened by Samdech Akka Moha Ponhea Chakrei HENG SAMRIN, President of the National Assembly of the Kingdom of Cambodia and President of AIPA, on Thursday, 26 May 2011, 09.00 AM at the Inter-Continental Hotel.
- 5 In his Opening Speech, Samdech HENG SAMRIN, President of the National Assembly of the Kingdom of Cambodia, warmly welcomed all distinguished guests and delegates to the important meeting. He expressed that it is an honor for Cambodia to host the event.
- 6 At that time, Samdech President stated that illicit drugs pose a great challenge to this region and to the rest of the world. The destructive ravages of these substances impact individuals, families, communities and the whole society.
- 7 According to the 2010 UNODC report, the flow of opium and cocaine in Western countries has greatly decreased, but it has noticeably risen in the developing countries, which are being used as centers of drug distribution and trafficking. This rising flow of drugs has created a very complicated problem to be solved. On top of that, amphetamine/ATS and related narcotics now rank as the second most popular drug of choice among drug users. This makes the prevention and the combat of those drugs a crucial concern, particularly because they are locally produced, and illegally and broadly circulated in the region. Additionally, the chemical ingredients for these illegal drugs are easily obtained from the market. In the ASEAN region, drug users of amphetamines extracted from pseudo-medical substance and in crystalline form have visibly increased.
- 8 He expressed that the Royal Government of Cambodia, under the wise leadership of Samdech Akka Moha Sena Padei Techo **HUN SEN**, Prime Minister, with the support of Lok Chum-Teav Dr. BUN RANY HUN SEN, President of the Cambodian Red Cross, along with prominent national leaders, have demonstrated a strong unwavering commitment and responsibility to comprehensive and multi-sector mechanisms in implementing the national strategy against drugs in the sub-region, region and in the world at large. Cambodia continues to successfully implement her national plan of reducing drug demand and supply, strengthening the capacity of law enforcement officers, and treating and rehabilitating those addicted to drugs.
- 9 He also emphasized that this 8<sup>th</sup> AIFOCOM meeting will provide a great opportunity for AIPA member countries to discuss and share experiences and skills, particularly with regards to harmonizing drug laws focusing on capture and seizure of assets and facilities used in committing drug crimes, and the control of reactants and precursors. In order to achieve their goal and vision of a drug-free ASEAN Community by 2015, AIPA member countries should:
- Consider any problems that any ASEAN country faces as their common problems and concerns to be resolved together.
  - Continue to strengthen and promote regional and global cooperation in order to prevent, eradicate, and combat drug smuggling, production, distribution and the use of illicit drugs and addictive substances.
  - Further promote closer cooperation with ASEAN Senior Officials on Drug Matters (ASOD) through regular and timely sharing of mutual experiences

- Continue to review the possibilities and procedures in order to establish an AIPA technical working group as soon as possible to enable the group to have the ability and capacity to cooperate with the ASOD and to review the possibilities of proceeding with the harmonization of the drug laws in the whole region.
- Continue to enhance public knowledge and education on the impact of drugs, and to improve the capacity building given to the law enforcement officers, so that they can effectively enforce the laws on drugs.
- Continue to effectively and efficiently strengthen the implementation of the drug laws.

10 *The text of the Opening Speech is attached in **Annex E**.*

11 Before the Opening Speech, Hon. Post Dr. Cheam Yeap, Chairman of the Commission on Finance, Banking and Audition of the National Assembly of the Kingdom of Cambodia and Chairman of National AIPA Group delivered a Welcome Speech to the Meeting.

12 In the welcome Speech, Post Dr. Cheam Yeap emphasized that today's meeting reflects the strong joint efforts, as well as the commitment of AIPA member countries, in addressing the drug issue, which is one of most challenging and threatening issues affecting the lives of individuals, local communities, and society as a whole, both at home and in the region, as well as around the globe. More importantly, it is further evidence of the considerable momentum that AIPA member countries have achieved in their process of building up regional and international cooperation in preventing and combating the drug menace, and to find ways and means to harmonize various pieces of legislation aimed at preventing and combating the drug menace, which will help achieve the goal of making ASEAN Drug Free by 2015.

13 He added that today, the world faces many daunting challenges, such as economic crises, terrorism, transnational crime, communicable diseases, climate change, and other natural disasters. And in particular, drug crime has continuously threatened our society, our region, and every part of the world. Though drug controls have matured and policies has been more responsive to the needs of most seriously affected, those along the whole of chain of the drug industry-from poor farmers who cultivate it, to desperate addicts who consume it, continue to be caught in the cross-fire of the traffickers.

14 He raised that under the wise leadership of Samdech Akka Moha Ponhea Charkrei **HENG SAMRIN**, the Cambodian National Assembly has demonstrated its strong and continuous commitment and international cooperation in an effort to combat the drug menace. Like many countries in the region and the world, Cambodia has ratified international legal instruments such as *the 1961 Single Convention on Narcotic Drugs, the 1971 Convention on Psychotropic Substances, and the 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances*. Moreover, Cambodia has also joined with regional and international drug control mechanisms and has signed bilateral Memorandum of Understanding on drug control cooperation with a number of countries such as Thailand, Lao PDR, Viet Nam, Korea, Japan, Russia and UNODC, in addition to the accession of Cambodia into the ASEAN Cooperation with China, aiming for a Drug Free ASEAN by 2015 (ACCORD Plan).

- 15 In addition, the Royal Government of Cambodia led by Samdech Akka Moha Sena Padei Techo **HUN SEN**, Prime Minister, has demonstrated strong and on-going commitment to eliminate and significantly reduce the supply and demand of illicit drugs by 2019 by clearly setting out in the “Rectangular Strategy Phase II of the Royal Government” a “5-Year National Plan on Controlling of Drugs”. Additionally, with the support of Lok Chum-teav **Dr. BUN RANY HUN SEN**, President of Cambodian Red Cross, the Cambodian National Authority for Combating Drugs continues to effectively coordinate and collaborate with multiple national and international institutions in order to make the relevant Cambodian national laws consistent and harmonious with relevant regional and international drug laws.
- 16 He expressed that Cambodia has achieved much success in fighting the drug menace; it still needs to make a stronger effort and commitment. Establishing and maintaining strong regional and international cooperation in combating the scourge of illegal drugs is also a must, and in particular, harmonizing specific and common legislations among our ASEAN member states must be taken into consideration and prioritized.
- 17 He also added that hope that active participation of AIPA Member of Parliament in the discussion and deliberation on the three key points, the draft resolution will be adopted. This resolution will be used as road map for AIPA member countries to implement in order to achieve a drug-free ASEAN by 2015.
- 18 *The text of the Welcome Speech is attached in Annex D.*

## **FIRST SESSION**

### *Appointment of Chairperson of 8th AIFOCOM*

- 19 The First Session was held on Thursday, 26 May 2011 at 10. 15 a.m. at Inter-Continental Hotel. In according with Article 1 of the Term of Reference of the AIPA Fact Finding Committee (AIFOCOM) to Combat the Drug Menace, Hon. Mr. Chhit Kim Yeat, Senator, Vice-Chairman of the Commission on Public Works, Transport, Civil Aviation, Post and Management, Urban Planning, and Construction, Senate of the Kingdom of Cambodia was appointed by President of AIPA as the Chairperson of the 8<sup>th</sup> Meeting of AIPA Fact Finding Committee to Combat the Drug Menace and Hon. Mr. Ouk Damry was appointed as Rapporteur.

### *Appointment of Vice-Chairpersons*

- 20 The following leaders of Delegation were nominated and appointed as Vice-Chairpersons of the Eighth AIFOCOM Meeting:
1. Hon. Mr. Pehin Dato Haji Judin Haji Asar (Brunei Darussalam)
  2. Hon. Mr. Nim Chantara (Cambodia)
  3. Hon. Mr. Azwar Abubakar (Indonesia)
  4. H. E. Mr. Yb Datuk Dr. Wan Junaidi Tuanku Jaafar (Malaysia)
  5. Hon. Mr. Charles Chong (Singapore)
  6. Hon. Mr. Ngo Duc Manh (Vietnam)
  7. Hon. Mr. U Maung Oo (Myanmar)

*Agenda Items and Programme of Activities*

- 21 The Meeting considered and adopted the following documents:  
(a) Programme of Activities (*Annex B*)  
(b) Agenda items for the Meeting (*Annex C*)

*Presentation on “Illegal drugs in Cambodia” by Mr. Meas Vyrith, Deputy Secretary General of National Authority for Combating Drugs of the Kingdom of Cambodia (NACD)*

- 22 The National Authority for Combating Drugs (NACD) informed the meeting that NACD has fulfilled the Implementation of all Conventions (1961, 1971, 1972, 1988) and the implementation of all resolution of UNGAS, ACCORD, and ASOD. The Establishment and Implementation of National Strategies on: Demand Reduction, Supply Reduction, Harm Reduction, Strengthening Law Enforcement Activities, International Cooperation, Established national drug control master plan and participate in the “Village-commune Safety Policy.”
- 23 For 2010, trafficking continues to be an issue posing serious threat to national security, social order and public safety. Cambodia remains a transit point although local consumption increasing Golden Triangle and Golden Crescent are still the main sources of Heroin and Amphetamines-Type Stimulant (ATS). Northeastern border is the main entry point for drugs coming from the Golden Triangle and Golden Crescent. International airports and seaport are still targets for drugs from Europe and Central America for further trafficked to international markets through the above as well as international border crossing points.
- 24 Drug Control Mechanism, we have Drugs Control Law, National Level (Secretariat General consisted of 22 Inter-Ministerial Members), Provincial Level (Establish Provincial Drugs Control Committee), Competition Plan and Village-commune Safety Policy for Combating Drugs Responding Action/Law Enforcement Activities
- 25 Operational Results for 2010, Trafficking and Seizures and Law Enforcement Training Drugs Control law.
- 26 The National Assembly of the Kingdom of Cambodia adopted Law on the Control of Drugs on 09 December 1996. Comprise of 27 chapters and 111 articles. Amended was made in 2005. Submitted the New Drugs Control Law to Council Minister. Extradition mechanism
- 27 Conclusion: Drug is new a phenomenon to Cambodia, Cambodia is not a drug producing country nor has it produced any of the precursors chemicals, Cambodia’s law on the control of drugs established in 1997. Amendment made in 2005 and new amendment currently being drafted to take into consideration of new development of drug offenses and also in line with drugs control laws of countries in the region, Cambodia’s drug law enforcement officers still lack the skill and knowledge necessary to tackle this new phenomenon
- 28 Although Cambodian law enforcement has been successful in cracking down on some cases, it still needed more support and cooperation from foreign law enforcement in

order to participate with international communities in fighting against drugs and transnational organized crime syndicates.

29 *The text of the presentation is attached in Annex F.*

**Presentation on Drugs Situation in ASEAN Region and the world by Representative of the United Nations Office on Drugs and Crime (UNODC)**

30 Ms. Sonia Bezziccheri, HIV Adviser, representative of the United Nations Office on Drugs and Crime informed the meeting that illicit drug is a problem for all countries all over the world. Although Opiate and Cocaine markets represent the two biggest transnational drugs and crime threats, ATS has gained a large share of global markets over the last two decades. ATS represents major and evolving threat for drug control efforts. In South East Asia, Poppy cultivation and opium production continue to increase in 2010. Furthermore, the region has also become a global hub for methamphetamine production since 56% of methamphetamine seizure occurred in East and South East Asia in 2008. In Cambodia, methamphetamine pill seizures increase by almost 18% in 2009, while Crystal methamphetamine seizure was more than double in the same year. Likewise, Ecstasy pill seizures rose from 33 pills in 2008 to 3,352 in 2009.

31 She added that according to the World Drug Report 2010, globally between 155-250 million people use illicit substance at least once in 2010 and 10-15% of all people who used drugs in 2008 were problem drug users. The report also revealed that between 0.3-1.2% of all ATS users in 2008, were ongoing increase in use and between 11-21 million of people aged from 15 to 64 were found to be heroin injectors. In Cambodia, the data varies widely on the actual number of drug users (DUs). The government figure was 5896 drug users (DUs) and 6800 in 2008 and 2009 respectively. However, UNAIDS estimated that the number of DUs was 6,000 in 2003 and NCAHDS estimated around 13,000 DUs in 2008.

32 She also expressed that responding to the drug problems, UNODC has focused mainly on the rule of law and health and development. For Cambodia, the new law on drug control is under development. However, it is particularly complex because it has to address the situation of different categories of persons such as drug dependent persons, persons cultivating and transporting drugs, occasional drug users, street sellers, as well as petty pushers, dealers and traffickers. On health and development sectors, primary prevention is targeting youth in and out of school system. Those who have become addicted to drugs have been helped through harm reduction services such as Needles and Syringes Programmes, Methadone Maintenance Therapy and overall increased access to HIV community services. Furthermore, the Community Based Drug Treatment program, a new initiative between the Government and the UN (UNCT) (CBTx) based on a rights-based, globally recognized voluntary and evidence-based approach to drug dependence and use, is now being piloted in Banteay Mean Chey Province to provide an alternative to the current temporary centers for drug users.

33 *The text of the presentation is attached in Annex G.*

*Presentation on Drug Matters by the ASEAN Senior Officials on Drug Matters (ASOD)*

- 34 The most important mission of the ASOD now is to realize by 2015, a Southeast Asia free of illicit drugs in terms of their cultivation production, manufacture, trafficking, and abuse. This mission is mandated by the Joint Declaration on a Drug-Free ASEAN adopted by the ASEAN Ministers of Foreign Affairs in July 1998. Since then, ASOD has developed appropriate projects to implement the initiatives outlined in the Declaration. These include projects on training of trainers in interpersonal skills and peer support counseling in drug education, youth empowerment against drug abuse, and promoting drug abuse prevention activities among out-of-school Youth, also training in law enforcement, treatment, and rehabilitation.
- 35 The ASEAN Socio-Community Blueprint includes community-based drug prevention, treatment and control of drug abuse, in parallel with eliminating drug trafficking and illicit drug supply through law enforcement and alternative development in order to make drug control sustainable specified in the ASEAN Political and Security Community Blueprint. As the ASOD is the catalyst in ensuring South-east Asia region free of illicit drugs the work of ASOD is being reported to both Communities
- 36 A project on The Study on Achieving Drug-Free ASEAN 2015 Status and Recommendations was jointly organized by the ASEAN Secretariat and the U.S. The workshop agreed that the vision of a drug-free ASEAN 2015 is to successfully and effectively control illicit drugs and mitigate its negative consequences to society. These include significant and sustainable reductions in: Illicit crop cultivation; Illicit manufactured and trafficking of drugs and drug-related crime; Prevalence of Illicit drug use. The Meeting also agreed on the benchmarks for the key elements as follows: Based on the vision and benchmarks, the ASOD undertook the task to determine specific targets and timelines to be incorporated into its Work Plan encompassing the following: strengthening regional legal frameworks, mainstreaming drug concerns in other relevant ASEAN bodies and supporting and sustaining alternative development efforts including increasing market access for such products. The ASEAN Work Plan on Combating Illicit Drug Production, Trafficking, and Use (2009 -2015) or the ASOD Work Plan was drafted by a special workshop held immediately after the 29th ASOD held in 2009. The ASOD was of the view that Work Plan should be achievable and practicable so as to realize the agreed benchmarks while being mindful of the relevant ASEAN Community Blueprints.
- 37 The 30th ASOD commended that the ASOD Work Plan should serve as basis in the ASOD's cooperation with Dialogue Partners, regional and international entities in future.
- 38 Cooperation with China, Japan and Republic of Korea (Plus Three Countries) on illicit trafficking is guided by the ASEAN Plus Three Cooperation in Transnational Crime Work Plan and the East Asia Cooperation and the ASEAN Plus Three Cooperation Work Plan (2007-2017). The United Nation Office on Drugs and Crime (UNODC) works closely with ASEAN Member States individually, sub-regionally, and regionally. The UNODC together with the ASEAN Secretariat is the Joint Secretariat for the ACCORD Program, which concluded in 2010. In April 2003, ASEAN Secretariat and UNODC signed the Memorandum of Understanding (MOU)

- between ASEAN Secretariat and UN ODC on Drug Control and Crime Prevention Corporation.
- 39 Future Direction of ASOD. The threat of illicit drug trafficking is imminent in ASEAN and no country is immune from this prevailing threat. The menace of illicit drugs should be addressed aggressively through collective and effective regional framework. Much needed regional networking is to be cultivated overarching the region's ultimate goal of ASEAN Community building. Enhanced strategic partnership with Dialogue Partners, regional, and international organizations would be assured.
- 40 ASOD is strongly committed and pledges to attribute to the realization of the ASEAN Drug Free by 2015 through attainable and practicable regional approach.
- 41 *The Text of the presentation is attached in Annex H.*

*Country Report by AIPA Member and Special Observer Delegations*

**Brunei Darussalam**

- 42 Brunei Darussalam reported that The Narcotics Control Bureau (NCB) is the main agency combating drug abuse activities in Brunei Darussalam of which their responsibilities include enforcing drug laws under the Misuse of Drugs Act, Chapter 27, operating on both preventive drug education and law enforcement basis while being built on the national policy of “demand and supply reduction strategy. Other NCB responsibilities include collecting and investigating information either from trusted sources or members of the public and to serve as the coordinator of all anti drugs programs as well as vital focal point of cooperation with other drug agencies at the regional and international level.
- 43 The Narcotics Control Bureau has recorded a total number of 547 persons arrested in 2010 with an approximate 5% increase from 2009 of which those arrested, 57% were repeated arrests and 43% were new arrests. The majority of arrested persons were unemployed, males aged 31 and above years of age. Of the 452 persons arrested or 83% of the arrests were Bruneian (local) with 10% or 54 being foreigners. Accordingly, no arrests have been made involving any international drug syndicates.
- 44 In Brunei Darussalam, males largely commit drug offences and this trend remains to hold so with men particularly aged 31 and above being more likely to be victims of drug abuse. Conversely, female involvement in drug abuse activities remains at a minimum. However several local recruiters had been identified in relation to international drug syndicate and they were currently listed under the “stop list” to prevent them from travelling outside Brunei.
- 45 The most abused drug is methylamphetamine or syabu. Followed by cannabis and psychotropic substances.
- 46 Two important aspects to control drug abuse in Brunei Darussalam include “Supply Reduction Measures,” which involves control of border and check points,



- strengthening drug law enforcement, legislation, national cooperation and bilateral relationship with Malaysia and Singapore.
- 47 The NCB has recently established the DTROP Unit to combat the supply reduction and to investigate anything related to drug trafficking and the recovering of assets and properties from such offence as well as tracing funds of drug traffickers.
- 48 Secondly, Brunei Darussalam has implemented preventive drug education programmes, treatment and rehabilitation programme and mandatory supervision programme all fall under the Demand Reduction Measures with these programs hosting talks, dialogues, road shows, and forums throughout the nation and rural parts of the country. The programs conducted 343 anti-drug events that involved a total of 34,418 attendees.
- 49 Additionally, the NCB places efforts towards improving programs relating to rehabilitation and supervision programs to help prepare reformed drug addicts and inhalants abusers for their reintegration into society.
- 50 *The full text of the Country Report of Brunei Darussalam is attached in Annex I.*

## **Cambodia**

- 51 Due to lack of finance and trained and qualified human resources and its geographic location, Cambodia has become a country that has been suffering from drug trafficking, distribution and utilization and drug syndicate have been attempting use Cambodia as a drug production site of ATS. However In 2000, Cambodia was discharged from the international black list as a Marijuana plantation country after Cambodia destroyed plantations of Marijuana in the southeast and east region of the Country.
- 52 Drugs have been imported into Cambodia through the golden triangle region, provinces along the northwest border area by transnational organizing drugs syndicates from West Africa located in the northeast region of the country and Taiwan. Drugs have entered Cambodia from the International Market by Phnom Penh International Airport, sea and road with using several methods such as persuading women to act as their liaison agents.
- 53 The most popular drug in Cambodia are Heroin, Methamphetamine pill, ICE and Ecstasy. Cambodia has also been facing the trafficking Pseudo-Ephedrine contained medicine from South Korea and a new trend of the illegal refine of Safrole Rich Oils, extraction of Pseudo-Ephedrine from cold medicine, dry ephedra plant for the ATS clandestine laboratory.
- 54 Responding to the situation, the Parliament of the Kingdom of Cambodia has adopted national laws and approved the United Nations Conventions such as Law on the Management of Medicines on 9<sup>th</sup> May 1996, Law on the Control of Drugs on 9<sup>th</sup> December 1996, Law on ratification to allow the Kingdom of Cambodia to be the party of the Single Convention on Narcotic Drugs of 1954 on 25<sup>th</sup> February 2005, Law on ratification to allow the Kingdom of Cambodia to be the party of United Nations Conventions on Psychotropic Substances of 1971 on 25 February 2005, Law

- on ratification to allow of the Kingdom of Cambodia to be the party of United Nations Convention Against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 on 25<sup>th</sup> February 2005, Law on the amendment of law on control of drugs on 17<sup>th</sup> March 2005 and Law on ratification to allow the Kingdom of Cambodia to be the party of the protocol 1972.
- 55 Meanwhile, the National Assembly of the Kingdom of Cambodia has encouraged her Government to prepare the new draft law on control of drugs based on the Conventions of 1961, 1971, 1988, and the protocol of 1972 and also on the International Human Right Treaties and to study the laws on control of drug of the regional countries in consistent with the current social situation and the evolving drug crime in Cambodia.
- 56 The Cambodian Government as well as the National Authority for Combating Drugs has a strong commitment to implement national plan on drug inspection and as a result we can reduce drug demand and supply, strengthening capacity of law enforcement officials and harm reduction of drug addicts. Furthermore, Cambodia has cooperated with other countries and international organizations responding to the drug abuse and diseases infection.
- 57 *The full text of Cambodia's Country Report is attached in Annex J.*

## **Indonesia**

- 58 Indonesia's drug problem situation in the last four years (2007- 2010) shows a trend with a slight increase of less than five per cent annually. The government of Indonesia has made significant steps including amending Law Number 22 of 1997 with Law Number 35 of 2009 on Narcotics; restructuring, repositioning and refunctioning the National Narcotics Board (NNB) to be a structural Non-Ministerial Government Body with full counter drugs coordinating and operational functions. People participation in drug abuse prevention and eradication of illicit drug trafficking, as well as more intensive national and international cooperation, will support the fight against the drug problems.
- 59 Despite its efforts in developing the quality and quantity of Treatment and Rehabilitation (T&R), Indonesia still very far behind in extending sufficient Treatment and Rehabilitation measures to all the victims of illegal drugs problems. The NNB is tasked to enhance the capability of medical and social rehabilitation centers, owned by the government and the private sector/community. In this regard, Indonesia sees the vital importance of having a more "Welfare Approach", which basically means we differentiate our treatment to drug victims. For the victims, Indonesia offers them rehabilitation centers that might help them recuperate. However, the number of rehabilitation centers' is still very far from sufficient to effectively deal with this grave matter.
- 60 In terms of Supply reduction and related measures, we also enhance the law enforcement. The National Narcotics Board (NNB) implement strategies such as Dismantling of narcotics syndicates' networks, Dismantling of clandestine laboratories, Interdiction of illicit trafficking at airports, seaports, maritime, and land borders. The NNB has apprehended narcotics syndicates' networks such as Iranian, Pakistani, Malaysian, Taiwanese, Nigerian, Indian for narcotics trafficking and

money laundering. The NNB has also launched a rural development project for illicit cannabis farmers in Aceh Province since 2006 and a socialization activity was conducted on 31 January till 2 February 2011, in Banda Aceh to discuss the “Integrated Farming System without Waste” . For Urban Alternative Development, the NNB develops the **Kampung Permata Project**, for Community Empowerment.

61 Indonesia have also successfully implemented two agendas namely the Indonesian National Single Window and the Pre Export Notification (PEN). The Indonesian National Single Window is important for the control on the import/export of goods, including precursors, with the purpose to improve efficacy of service for customs clearance and cargo release and effective control of import/export.

62 *The full text of Indonesia’s Country Report is attached in **Annex K**.*

### **Lao PDR**

63 *(Unable to obtain the report to attach to **Annex L**).*

### **Malaysia**

64 The “Dadah” (illicit drugs) problem remains as one of the main threat to national security. The Cabinet Committee on the Eradication of Drugs is the highest body of the country’s Mechanism in Coordinating the Implementation of Policy to Combat the Drug Menace. The National Anti-Drugs Agency (NADA) was set up in 1996 to monitor and control the drug situation. Its objective is to ensure the implementation of national policies on drugs and coordinate, monitor and evaluate all activities relating to the control and prevention of the drug problem to create a drug-free nation by 2015. The four core strategies of the National Anti-Drugs Agency in eradicating the supply of and demand for drugs in the country are: Prevention, Treatment and Rehabilitation, Law Enforcement, and International Cooperation.

65 NADA’s key strategies are as follows: Implementation of prevention programs by targeting high risk groups; to ensure the implementation of prevention program in education institutions, family institutions, workplace and high risk community; to empower civil soceity as a preventive agent, to maximize the usage of new media; to enhance the number and involvement of voluntary; and to increase the cooperation between strategic partners and smart partnership in implementing the prevention program.

66 Drug legislation in Malaysia is comprehensive and covers both prevention and treatment and rehabilitation. The existing laws are continuously reviewed to identify weaknesses and consequently enhance their effectiveness. The government has made reducing crime as one of the National Key Result Area (NKRA). The target of reducing Street Crime has indirectly contributed to an increase in overall drug abusers detected in year 2010.

67 The Cure and Care 1Malaysia Clinic, an evidence-based practice in treatment of drug users, is an important landmark in Malaysia’s response to drug use and HIV/AIDS. The objectives and activities of the operational model in drug rehabilitation centers

confirm the shift from punitive approaches to harm reduction models, and the World Health Organization (WHO) has recognized them as good practices.

68 *The full text of Malaysia's Country Report is attached in Annex M.*

## **Philippines**

69 Although, the House of Representatives of the Republic of Philippines is unable to send the delegation to attend the meeting, they have submitted their country report to be noted by the meeting. The highlight of the report as below:

70 The year 2010 proved to be a significant year in drug enforcement as the Philippine Drug Enforcement Agency (PDEA) in collaboration with other law enforcement agencies launched a series of forceful and intensified anti-drug operations. A total of 11,163 anti-drug operations were conducted from January to December 2010 resulting to the arrest of 8,259 drug personalities; dismantling of 7 shabu laboratories; and filing of 7,752 drug cases in courts nationwide. These operations have resulted in the confiscation of dangerous drugs, Controlled Precursors and Essential Chemicals (CPECs) and laboratory equipment amounting to P4.79 Billion.

71 The PDEA has also conducted intensified operations in neutralizing transnational, local and national drug groups. PDEA's data include the following successful operations against; Transnational Drug Groups, Local Drug Groups and National Drug Groups.

72 PDEA's 2010 year-end report reveals that significant strides were made through the cooperation of other law enforcement agencies in reducing the drug supply in the country through the following activities on Marijuana Plantation Eradication: 86 marijuana eradication operations and 207 clearing plantation sites nationwide with an estimated value of Php 1.87 billion. Clandestine Laboratories Dismantled: 7 shabu laboratories classified as large scale, medium scale and kitchen type owned by Chinese nationals were dismantled.

73 Precursor Control: The Agency has issued 12,264 licenses to qualified and authorized handlers of dangerous drugs and 13, 291 licenses to practitioners and companies engaged in handling dangerous drugs.

74 Other Initiative – Homerun Operation: In 2010, Administrative Order No. 279 was issued creating an inter-agency task force on the prevention of Filipinos from being used as drug couriers by international drug syndicates. Dubbed as “Operation Homerun”, the task force was launched by the PDEA as lead agency, in coordination with various foreign counterparts.

75 The strong commitment of the Philippine Government through the Philippine Drug Enforcement Agency (PDEA) and other agencies, like, the Philippine National Police (PNP), National Bureau of Investigation (NBI) and the Bureau of Customs (BOC), in reducing illegal drug activities in the country has resulted to a remarkable success. The enactment of RA No. 9165 has provided the country's law enforcement agencies the legal authority in thwarting illegal drug activities. The year 2010 has indeed produced triumphant anti-drug accomplishments through collaborative hard work and intensive intelligence operations of the different government drug agencies. The

Congress of the Philippines in its effort to further strengthen the legal framework of country on combating illegal drug activities is prioritizing the amendments to the Comprehensive Dangerous Drugs Act of 2002.

76 *The full text of the Country Report of the Philippines is attached in Annex N.*

## **Singapore**

77 Singapore has maintained its status as a relatively drug-free society. Despite our close proximity to the Golden Triangle, tough anti-drug laws and vigorous enforcement have kept major drug syndicates from establishing themselves in Singapore. The Central Narcotics Bureau (CNB) is the coordinating and enforcement body for all matters pertaining to drugs in Singapore, and remains vigilant against any emerging threat to the local drug situation.

78 Since 2007, the number of drug abusers arrested has remained stable. The trend over the decade has been declining on the whole. 1,805 drug abusers were arrested in 2010, a 4% decrease compared to 2009. Repeat abusers continued to make up majority of total abusers arrested at 70%. 539 new abuses were arrested in 2010, a 3% decrease compared to 2009. Heroin and methamphetamine were the main drugs of abuse, accounting for 87% of drug abuser arrests in 2010.

79 Drug traffickers in Singapore generally operate on a small scale with the majority of them trafficking drugs in small amounts. They rely mainly on traditional methods of transactions involving cash and drug exchange between the seller and buyer. Syndicated drug trafficking activities have also been kept in check by rigorous and effective enforcement conducted by CNB.

80 Singapore's national blueprint in tackling the drug problem is a holistic, multi-pronged and multi-agency approach comprising of four main strategies: (i) preventive drug education, or PDE; tough anti-drug laws and vigorous enforcements against drug offenders; (iii) treatment and rehabilitation for all drug abusers; and (iv) continued aftercare. All of these strategies aim to reduce the demand and supply of drugs in Singapore.

81 We recognize that the drug situation in every country is unique and we respect other countries' decision to employ whatever strategies they deem suitable to deal with the issues they face. Singapore is in favor of harm prevention, which undergirds our zero tolerance policy against drugs. We do not advocate harm reduction measures that condone and facilitate drug taking, as it contradicts with our national values. Our approach has been validated by practical success; the number of drug abusers arrested has decreased significantly from 6,165 in 1994 to 1,805 in 2010 – a decrease of more than 70%.

82 *The full text of Singapore's Country Report is in Annex O.*

## **Thailand**

- 83 Although, the National Assembly of Thailand is unable to send the delegation to attend the meeting, they have submitted their country report to be noted by the meeting.
- 84 With the aid of Remote Sensing and Geographic Information System (GIS) technologies offering the most accurate and reliable reference to opium poppy cultivation survey, Thai authorities could seize methamphetamine approximately 50 million tablets this year. Among the number, around 40 million tablets were seized and categorized as major cases with impounded exhibits of more than 10,000 tablets, whereas the rest cases with impounded exhibits of less than 10,000 tablets were grouped as minor cases. Looking at the major cases, the seizures of the exhibits of more than 100,000 tablets were 86 cases with 19,245,486 tablets of methamphetamine. Additionally, the seizures of the exhibits of more than a million tablets were 7 cases with 11,819,772 tablets of methamphetamine. Other seizures out of those cases were cases with the exhibits of 10,000-100,000 tablets.
- 85 To sum up, the 2010 national statistics of total seizures of drug cases were 163,909 cases, increasing from last year 5.7 percent. 908 cases out of the said number were unknown-offender-cases. Moreover, there were 177,523 seized drug offenders, stepping up from last year 5.6 percent. Seizures of drugs like methamphetamine, Ice, cocaine, ketamine and dried cannabis increased only heroin, and ecstasy dropped down.
- 86 War on Drugs Policy established in 2003 to the current intensifying efforts of Prime Minister Abhisit Vejjajiva's Government. Since his first policy statement to the National Assembly on 29 December 2008, drug issue was placed as the country's urgent problem under Policy on Social Welfare and Human Security. He then announced Five-Fences Strategy implementing since 2009 onwards to take drastic measures to crack down illicit drugs with tangible results nationwide. At present, the Strategy is in Phase Three which will end in this coming September 2011.
- 87 The mentioned Five-Fences Strategy focuses on building immunity, creating activities and establishing a working process in which entities concerned both public and private sectors can cooperate closer and deeper while measures are integrated to keep drug addicts, drug dealers and risk groups away from drugs.
- 88 The five fences referred in the Strategy were described as follows:
- 89 Border Fence to strengthen measures and prevent drug smuggling into the country along the target border areas. Community Fence that facilitates strengthening and building drug immunity in the target villages/communities.
- 90 Social Fence to implement integrated social order, eliminating all kinds of negative risk factor, enhancing positive factors affecting the drug immunity building in order to strengthen the societies of all provinces.
- 91 School Fence that strengthening school and academic institutions, and making new generation of youths to have safeguard on drugs.

- 92 Family Fence by strengthening family institution to be more immune to drugs and be a good fundamental unit of society.
- 93 Measures under each Fence have been and will be implemented decisively but under the rule of law. The five fences the Phase Three put emphasis on seven areas: 1) set right target areas to tackle the drug problem; 2) continue implementing the Strategy; 3) set critical points of each Fence; 4) solve the problem comprehensively; 5) improve efficiency of the core measures to deal with drug problem namely suppression, demand reduction, potential demand reduction and general administration; 6) implement criminal justice to decrease the number of criminals; and 7) give precedence over implementation of the Strategy.
- 94 Breakthrough legal measure development occurred this year as well when decriminalization has introduced and implemented as one of the measures under the Phase Three of Five-fence Strategy to reduce harm from drug abuse in communities and societies. It aims to offer drug addicts options to receive appropriate treatment, diversifying them out of regular criminal justice whilst decrease numbers of prisoners. Those options include harm reduction, criminal justice diversion and decriminalization programs.
- 95 As for the policy on potential demand reduction, it emphasizes on launching public awareness campaigns against illegal drugs and building up public immunity against drug abuse. Zero new drug abusers/addicts is an ultimate goal of the policy. It is to ensure that the innocent, high risk or vulnerable groups will not get involved with narcotic drugs. The main targets are the youth in school and dropouts.
- 96 Thailand's policy on drug demand reduction stresses on identifying drug addicts/users and providing them with appropriate treatment and rehabilitation programs and integrating three existing systems of drug treatment and rehabilitation including voluntary service, compulsory service and correctional service or **treatment within the criminal justice system** improving access to the treatment and rehabilitation services and integrating three drug as well as putting in place effective aftercare services with a view to reduce the numbers of drug abusers/addicts. To ensure that drug abusers/addicts get the second chance, the number of campaigns for re-establishing a positive attitude of the general public towards drug abusers/addicts successfully recovering from drug addiction would be launched throughout the country. Under the campaign, business enterprises would also be urged to allow employees who are addicts-in-treatment sustaining their jobs and to provide employment opportunities for ex-addicts. Each year an outstanding employer executing the ex-addicts employment policy would be nominated for receiving an award from the Prime Minister on 26 June, the international day against drug abuse and illicit trafficking.
- 97 *The full text of Thai's Country Report is in Annex P.*

## **Viet Nam**

- 98 In 2010, under the close and strong leadership of the Vietnam Parliament and Government, even Viet Nam achieve positive results for drug control but the drug control situation still remained a serious issue. Drug criminal activities concentrated

- mostly along border routes, in North and Southwest and in key towns-cities. A new trend of drug crime in Vietnam is the increasing of international drug criminal gangs, especially ones from Africa. During the 2009-2010 crop, 54% of poppy cultivation areas were detected and destroyed but it was discovered some new poppy cultivation area in 2010.
- 99 To the End of 2010, the drug control task forces had investigated and detected 16,123 cases with 23,479 offenders; seized 316 kg heroin, 28kg opium, hundreds thousand tablets of synthetic drugs; 11,314 cases/14,252 defendants on trial in Court at all level, 187 cases under death penalty and life sentence.
- 100 The detoxification and harm reduction for drug users increased by 120% with 29,535 IUDs newly admitted, among that at center for 24,000 and at home and commune for 5,500 IUDs; 14,500 IUDs job creation after detoxification; 20% communes were supplied clean needles; about 2,000 IUDs get Methadone treatment in 3 pilot cities, increase by 125 %.
- 101 To implement the drug control in Vietnam, the Government will focus on: developing the National Strategy on Drug Prevention and Control to 2020, vision to 2030; conducting effective IEC activities for drug prevention; spending more budget for Drug crime prevention and suppression; issuing incentive measures for receiving IUDs to work and after detoxification and expanding more Methadone treatment in some provinces.
- 102 *The full text of Viet Nam's Country Report is attached in Annex Q.*

## **Myanmar**

- 103 The highest political level of the government continues to lay down consistent policy to combat the drug menace. The Narcotic Drugs and Psychotropic Substances Law, enacted in 1993 supports the legal framework as it provides for the destruction of narcotic crops, confiscation of equipment, and prescribes stiff penalties for laundering proceeds derived from the sales of illicit drugs.
- 104 Myanmar, the largest opium cultivator in the region, has seen decreases over the years in poppy production since 1998. This is due to preemptive measures taken such as crop substitution, search and raid clandestine refineries, interdiction of illicit traffic, and annual eradication programs.
- 105 Since Myanmar is not an industrialized country, entire precursor chemicals are trafficked from neighboring countries. The Precursor Control Sub-Committee was formed in 1998 to control and monitor illicit importation and distribution of chemicals for use in the chemical industry, such as the Safrazole rich oils.
- 106 Cannabis and Stimulants (ATS) are other common types of drugs that contribute to the overall drug menace in Myanmar. In combating narcotics specifically, Myanmar has established the Anti-Narcotic Task Force. Its main focus is the suppression of narcotic drugs.



- 107 Myanmar actively engages in sub-regional cooperation in the drug battle through the signing of MoUs, bilateral agreements, hosting meetings/workshops abroad, and cooperating with international NGOS. Specifically, Myanmar has worked closely with Thailand and China to enhance the border control of drug trafficking.
- 108 Cooperation with the UNODC has led to the reduction of the spread of HIV/AIDS among drug users through the HARRP-Country Flexible Program for Myanmar is being implemented.
- 109 Cooperation with JICA has led to a jointly conducted project on Regional Cooperation Project on Capacity Building of Drug Analysis for Improvement of Drug Law Enforcement Phase II.
- 110 There are currently 26 major drug treatment centers, 40 minor drug treatment centers, and 8 rehabilitation centers.
- 111 *The full text of Myanmar's Country Report is attached in Annex R.*

## **SECOND SESSION**

- 112 The Second Session was held at 4:20 PM, on Wednesday, 26<sup>th</sup> of May 2011, with the intent to review and discuss the First Report of the AIPA Caucus on Harmonization of Illegal Drug Laws.

### **General Highlights:**

- 113 **Secretariat of AIPA:** Suggested reporting on rate of conviction/those acquitted, what happens to assets/paraphernalia, the effectiveness of law enforcement. Is Singapore's success related to sophisticated equipment used in surveillance/investigations? What means has Malaysia developed in order to neutralize drug trafficking?
- 114 **Singapore:** There is no one perfect solution applicable for all countries due to specific and unique characteristics of each country. Success of the rehab treatment emphasizes the whole family and preventing second generations from repeating the illegal activities of previous generations. Prison tours are set up to help deter youth at an early age. Intelligence of monitoring drug trafficking is left to law enforcement agencies. Singapore is open to sharing relevant information/data regarding conviction/and those acquitted.
- 115 **Malaysia:** The law itself is insufficient because criminals can overcome the law by running away outside our borders. Malaysia has in place laws regarding money laundering, drug laws, and witness protection. Education is an industry that can act as a gateway for foreigners to influence drug usage. This is a serious problem regarding border control and regulation of foreigners. Combating the drug menace has to be regional, global, and with a system and support. Malaysia addressed the need for a bilateral/multilateral arrangement regarding the confiscation of properties.
- 116 Malaysia targets the working age group because they directly contribute to the demand of drugs due to the fact that they have the means to purchase drugs. Treatment programs take on a holistic approach by targeting communities and families through the establishment of health centers and call centers. Also noted was

- the effectiveness of women's group in reaching out to the affected youth. Another note addressed is that the increased number of drug traffickers arrested is due to the government's emphasis in reducing crime.
- 117 Because it is difficult to standardize all laws for the ASEAN region, a better approach may be to at least harmonize the level and severity of punishment in order to prevent criminal cross border activity.
- 118 **Brunei:** In order to enhance efforts toward suppressing activities of drug trafficking, attention is focused on investigations of financial issues regarding drug proceeds.
- 119 **Sec. of AIPA:** Secretary proposed a need to strengthen law enforcement agencies.
- 120 **Chairperson:** Chairperson advised that the Cambodian government has drafted confiscation law and then he invited Mr. Geoff Vickridge to speak on confiscation laws in Australia.
- 121 **Mr. Geoff Vickridge:** Australia enacted a law to ban the sale of spray paint to minors (under 18 years of age).
- 122 With regards to money laundering, Australia monitors all transactions greater than 10,000 AUD. Banks must record the transfer and send it to a central agency.
- 123 Strict legal measures are in place to further discourage illegal drug activities. Assets are frozen upon arrest, and upon conviction, the state seizes all assets. Also, those arrested must go to trial within one year.
- 124 **Chairperson:** Chairperson proposed to raise the issue of sending criminals back to their country of origin to be tried at the 32<sup>nd</sup> general assembly.
- 125 **Vietnam:** Vietnam proposed to legalize harm reduction programs based on scientific evidence. Also the question raised was, "how much money do we spend on drug control per capita" to combat the drug menace in order to determine allocation of resources and propose to ask UN agencies to support to create model law on drug control for member countries.
- 126 Document of the First AIPA Caucus on the Harmonization of Illegal Drug Law is attached in *Annex S*.

### THIRD SESSION

- 127 The Third Session was held at 8.00 AM on Friday, 27 May 2011, which discussed and adopted the following:
- 128 Originally two draft resolutions were to be adopted:
1. Draft resolution on Harmonization of Illegal Drug Laws on Capture and Seizure of Assets Used in or Possessed from Drug-Related Cases; the Control of Reactants and Precursors and on Demand Reduction Interventions;
  2. Draft resolution on the Establishment of AIPA Working Group to Combat the Drug Menace
- 129 During discussion, both draft resolutions were combined into one draft resolution and the following was adopted: Draft 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 (*Annex T*)

130 It was also discussed that should the Technical Working Group (TWG) be established, Secretary General of AIPA proposed to hold the initial meeting in Singapore.

131 Report of the Eighth Meeting of AIFOCOM

## **CLOSING CEREMONY**

132 The meeting was held in the traditional spirit of ASEAN hospitality and solidarity.

133 The meeting was officially closed by Pol. Gen. H.E. Mr. Em Sam An, Acting Minister, Ministry of Interior, Secretary of State at 11.30 A.M on Friday, 27 May 2011.

134 In the Closing Speech, H.E. Mr. Em Sam An stated that as a result of this significant event and through our joint efforts, we have together drawn up a draft resolution on the establishment of an AIPA working group to combat the drug menace (to be submitted to the 32<sup>nd</sup> AIPA General Assembly for discussion and adoption).

135 Cambodia, like many other countries around the world, is affected by the drug crimes as it threatens social security, destroys livelihood and morality of the people, and impedes the development of the national economy. These negative influences could spread insecurity to each country and the ASEAN region as a whole if determined and appropriate measures are not quickly taken to protect society and eliminate the danger of drugs.

136 Suggestions to address the evolving situation of the drug issue in Cambodia are as follows: (1) amend laws to enhance effectiveness; (2) implement a 5-year strategic plan to reduce demands/supply, to improve treatment and rehabilitation centers, to strengthen law enforcement capacity, and to enhance international cooperation; (3) create a commune-village safety policy aimed at maintaining security and social safety; (4) raise public awareness about the impact and dangers of using and trafficking illicit drugs; (5) provide medical treatment to drug users; and (6) strengthen law enforcements.

137 Through our committed efforts we continue to face challenges including but not limited to a lack of transportation and technical supplies to conduct thorough investigation as well as a shortage of health personnel and facilities to meet actual needs.

138 Cambodia's efforts alone are not enough and success demands close and effective international cooperation.

139 The full text of the Closing Remarks is attached in *Annex U*.

- 140 Leaders of the delegations signed the Report of the Eighth Meeting of the AIPA Fact-Finding Committee (AIFOCOM-8) to combat the Drug Menace.
- 141 The report was presented by the Chairperson to the AIPA's Secretary General, being the representative of the AIPA president.

Done in Inter-Continental Hotel, Phnom Penh, Cambodia, the Twenty Seventh Day of May, the Year Two Thousand and Eleven.

For BRUNEI DARUSSALAM

  
\_\_\_\_\_  
Hon. Mr. Pehin Dato Haji Judin Haji Asar

For CAMBODIA

  
\_\_\_\_\_  
Hon. Mr. Nim Chantara

For INDONESIA

  
\_\_\_\_\_  
Hon. Mr. Azwar Abubakar

For LAO PEOPLE'S  
DEMOCRATIC REPUBLIC

For MALAYSIA

  
\_\_\_\_\_  
H. E. Mr. Yb Datuk Dr. Wan Junaidi Tuanku Jaafar

For PHILIPPINES

  
\_\_\_\_\_  
Hon. Mr. Charles Chong

For SINGAPORE

For THAILAND

For VIET NAM

  
\_\_\_\_\_  
Hon. Mr. Ngo Duc Manh

For Myanmar

  
\_\_\_\_\_  
Hon. Mr. U Maung Oo

  
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Hon. Mr. Chhit Kim Yeat

**Chairperson of the 8<sup>th</sup> AIPA Fact-Finding Committee (AIFOCOM)  
to Combat the Drug Menace**