

CONGRESS

# ON NARGOTTES

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UNITED STATES

DIVISION OF NARCOTIC DRUGS  
Vienna

# BULLETIN ON NARCOTICS

Volume XXXV, No. 4  
October—December 1983

*Special issue on an analysis of the campaign  
against drug trafficking*

119778-  
119789

U.S. Department of Justice  
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**UNITED NATIONS**  
**New York, 1983**

## SPECIAL REQUEST

As indicated in recent issues of the *Bulletin on Narcotics*, the Division of Narcotic Drugs plans to focus forthcoming issues of the *Bulletin* on particular subjects of general interest.

For this purpose, the following topics have been identified for future issues:

1. Role of narcotics laboratories in combating the illicit drug traffic.
2. Illicit supply of, and traffic in, coca leaves, coca paste and cocaine: problems and countermeasures.
3. Sentencing policies for offenders convicted of drug-related infractions.
4. Recent research on the harmful effects of cannabis.
5. Drugs and youth.
6. Extradition of persons accused of illicit drug traffic — studies on existing international instruments and on judicial implementation at the national level.
7. Drug-related problems in Africa.
8. Developments relating to control of psychotropic substances.

Interested readers are accordingly invited to submit manuscripts related to the topics listed above in sufficient time to be considered for possible publication in the *Bulletin*.

For more detailed information concerning submission of manuscripts, readers may refer to the "Note" on page v.

## NOTE

The *Bulletin on Narcotics* seeks to cover current information on experience gained in national and international drug control programmes with particular attention to results obtained in a given country that may be of interest and value to other countries.

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Articles for publication in the *Bulletin* should be addressed to the *Bulletin on Narcotics*, Division of Narcotic Drugs, United Nations, Vienna International Centre, P.O. Box 500, A-1400 Vienna, Austria, accompanied by an abstract of approximately 200 words and a short *curriculum vitae* of the authors. They should be submitted in original and two copies. Illustrations consisting of all material that cannot be set in type, such as photographs, line drawings, graphs, charts and tracings may be included with the manuscript. Tables should be self-explanatory and should supplement, not duplicate the text. Each table must have a title. References should follow numerical order. The bibliography should be presented in alphabetical order.

A transmittal letter should designate one author as correspondent and include his complete address and telephone number.

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## Editor's note

This special issue of the *Bulletin on Narcotics* is concerned with the campaign against drug traffic and is published in accordance with the General Assembly resolution 37/198 adopted on 18 December 1982. The continuing rapid increase in total quantities of many drugs being moved in the illicit traffic in most parts of the world is well recognized. It is also universally accepted that the most successful measures to counter this traffic must operate from a firm base of co-ordinated activity at the national level. On this basis it is possible to establish regional and interregional co-ordination mechanisms to counter the drug traffic which is itself an international phenomenon. The International Drug Control Strategy, adopted by the General Assembly in resolution 36/168 of 16 December 1981, indicates the parameters within which co-ordinated action can most usefully be undertaken. This Strategy identified activities which could be undertaken by regional organizations and this special issue contains a number of articles describing the work of such organizations. Other articles describe national and international action against the drug traffic.

The United Nations Division of Narcotic Drugs, in accordance with decisions and resolutions of the Commission on Narcotic Drugs, the Economic and Social Council and the General Assembly, continues, within resources available, to encourage mutual assistance between States to counter the drug traffic and associated phenomena. Special attention has recently been directed to measures designed to alleviate the particular problems of transit States, the number of which is increasing exponentially. There is also concentration on supporting regional and interregional meetings, seminars and workshops designed to develop and promote more rapid, secure and accurate exchanges of information and intelligence. These measures at national, regional and international level have accounted for at least some part of the greater quantities of many drugs seized from the traffic. However, much remains to be done, especially in improving communication networks both within and between national territories.

## **The role of the Association of South-East Asian Nations in fighting illicit drug traffic**

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### **ABSTRACT**

Member States of the Association of South-East Asian Nations (ASEAN) have decided to concert their efforts in order to overcome drug-related problems and illicit trafficking, which are recognized as a threat to their national security, stability and resilience. The activities and significant achievement of each member State show the important role that has been played by each country in combating illicit drug traffic. Member States of ASEAN realize the importance of mutual co-operation between themselves as essential in the effective fight against illicit drug traffic.

### **Introduction**

The drug problem is one of the most serious problems facing the world today. It is a threat to the social and economic structure and the stability of a nation. The epidemic of drug abuse and its associated problems have spread and affected almost all countries of the world. It can be assumed that the drug problem in south-east Asia is more severe than in most other regions, owing to the fact that the main opium-producing area, the "Golden Triangle", is located there. This area borders the northern part of Thailand, the north-eastern part of Burma and the north-western part of the Lao People's Democratic Republic covering an area of approximately 75,000 square miles (200,000 square kilometres). Narcotics are illegally produced from raw opium in the refineries along the border between Thailand and Burma and are transported from the "Golden Triangle" for sale on the illicit market. By virtue of their geographical position, member States of ASEAN are situated very close to the main source of illicit drugs. Consequently, Thailand has been considered the gateway for drugs coming directly from the "Golden Triangle" and most of the ASEAN countries are the transit points of the illicit drug traffic for further distribution to the illicit market around the world. Therefore, member States of ASEAN realize that they are facing the common problem of the drug abuse epidemic in the region and that mutual co-operation between countries is essential to cope with the problem.

## ASEAN and drug control

Since its inception in 1967, ASEAN, which comprises five nations (Indonesia, Malaysia, the Philippines, Singapore and Thailand), has carried out various activities to fulfil its objective of establishing south-east Asia as a zone of peace, prosperity and stability through social and economic co-operation. As a result of the ASEAN Declaration, the member States agreed to establish technical, social, economic, cultural and scientific co-operation in their mutual interests. In order to achieve this goal, committees were set up to deal with specific aspects of work. The prevention and control of the abuse of narcotic drugs were put under the responsibility of the ASEAN Committee on Social Development. Drug problems were clearly recognized as a threat to the regional socio-economic development.

### *ASEAN expert group meetings*

As drug-related problems are widespread in the region, member States of ASEAN have decided to strengthen and intensify co-ordination among themselves to combat the problem. Joint efforts began in 1972 when the ASEAN Expert Group Meeting on the Prevention and Control of Drug Abuse was held at Manila. In 1973, the ASEAN Legal Experts Meeting on Narcotics was held at Jakarta. The meeting of ASEAN Heads of National Narcotic Bureaus and Enforcement Agencies, held at Manila in 1975, paved the way to annual meetings of ASEAN drug experts. It was recommended that a meeting on narcotics should be held annually and should cover law enforcement, preventive education, treatment and rehabilitation, research and training. Consequently, in 1976, Singapore was host to the First Meeting of ASEAN Drug Experts which is now the regular forum for deliberations on various measures to combat narcotic drug problems in the region. To date, seven meetings have been held by the member States, according to a rotation system, the most recent having been held in Thailand in 1982.

### *Two ASEAN declarations*

Evidence of the determination of ASEAN countries to overcome the drug problem is the signing of the ASEAN Declaration of Principles to Combat the Abuse of Narcotic Drugs on 26 June 1976 at Manila. The Declaration emphasized the need for intensified co-operation and an exchange of information and experiences in preventing illicit traffic, improving national legislation and implementing drug research and education, as well as for close co-ordination with international agencies concerned.

The awareness of the danger of drug abuse and associated problems was reflected earlier, in February 1976. The Declaration of the ASEAN Concord was signed by the ASEAN Heads of Governments at the ASEAN Summit

Meeting held in Bali, Indonesia. As a result, the member States agreed to promote co-operation both between themselves and with the relevant international organizations in preventing and eradicating drug abuse and illicit trafficking in drugs. The two Declarations received a positive response from the member States, which encouraged anti-narcotic drugs activities and joint efforts in their countries.

#### *Four aspects of anti-narcotic work*

The main ASEAN activities in narcotics control have been initiated by the meetings of ASEAN drug experts. The implementation of recommendations arising from the previous meeting are reviewed at the next meeting. Four aspects of anti-narcotic work, i. e. enforcement and legislation, preventive education and information, treatment and rehabilitation, and research were the main programmes of action.

#### *Training centres*

ASEAN training centres were established in three member States: law enforcement in Thailand, preventive education in the Philippines and treatment and rehabilitation in Malaysia. The training centres were established as a result of a recommendation of the Fourth Meeting of ASEAN Drug Experts in 1979.

#### *ASEAN narcotics desk*

An important achievement made by member States of ASEAN was the establishment of the ASEAN narcotics desk at the ASEAN secretariat and the appointment of a narcotics desk officer who co-ordinates narcotics matters and encourages intensified co-operation between member States with the aim of helping the anti-narcotics activities at the ASEAN level.

#### *Other projects*

Two other ASEAN projects have been launched. The ASEAN training centre for ASEAN narcotics law enforcement officers in Thailand organizes an annual training course. Three such training courses have been conducted since 1980. The second project is the ASEAN training centre for preventive drug education in the Philippines which conducts the ASEAN Workshop on Curriculum Development in Preventive Drug Education. Three such workshops have already been held.

#### *ASEAN Inter-Parliamentary Organization*

In addition to ASEAN drug experts, ASEAN parliamentarians have also shown concern for the growing menace of addictive drugs and the

adverse effects of narcotics abuse. The ASEAN parliamentarians, through their ASEAN Inter-Parliamentary Organization (AIPO), at their fifth General Assembly at Manila in April 1983 resolved that each ASEAN member State, through its respective Parliament, should include in its legislative programme measures to enact common legislation on penalties and their enforcement, including the death penalty for trafficking in drugs.

### **Illicit flow and cultivation of drugs in the region**

Because of the proximity of the ASEAN countries to the "Golden Triangle", the problem of illicit drugs in that region is more severe than in others. ASEAN countries are facing the threat of an epidemic in both illicit drug traffic and drug abuse. Basically, the degree of the problem in each member State does not differ much, except for Thailand, which faces the problem of drug abuse and illicit traffic as well as illicit cultivation of the opium poppy. Raw opium is refined into various narcotics, such as heroin and morphine, at clandestine laboratories scattered along the border between Burma and Thailand. Owing to restrictions in the north of Thailand and the effectiveness of the declaration of a chemical free zone, illicit drug production is moving towards the south of Thailand along the border between Malaysia and Thailand. Opium and its derivatives are the main illicit drugs that flow in the ASEAN region. Drug traffickers use Thailand as the route for smuggling opium, heroin or morphine from the "Golden Triangle" for further distribution in Europe, North America and Australia. Other ASEAN countries are also used as illicit drugs transit points and the illicit passing routes.

South-east Asia is the source of illicit production of both opium and cannabis. In Thailand, the main cannabis plantation fields are in the north-eastern part of the country. In Indonesia, cannabis is illicitly cultivated in the Aceh province and in North Sumatra. In the Philippines, illicit cannabis plants are widely cultivated in the mountainous areas of Luzon.

Unlike other member States, Malaysia and Singapore are not sources of illicit drugs but they are traffic routes of illicit drugs produced in the "Golden Triangle".

Some other drugs such as cocaine, kratom and psychotropic substances are also found on the illicit market of ASEAN countries.

### **Activities against illicit drug trafficking**

Since south-east Asia is the strategic point of illicit drug trafficking, member States of ASEAN have tried unceasingly to introduce effective measures for narcotics control. The fight against the illicit drug traffic is a

difficult task since large, illegally acquired financial assets are involved. Traffickers risk illegal operations that can yield large profits, and undoubtedly, drug traffickers will always try to find alternative methods to avoid severe attacks by enforcement authorities.

The basic policy of member States of ASEAN is to prevent drug traffickers from coming into the region and to eliminate drug trafficking within the region. This policy was reflected in the recommendations of the First Meeting of ASEAN Drug Experts, which stated that the entry of drug traffickers into ASEAN member States should be refused and that persons suspected of being drug traffickers and illicit drug manufacturers should be expelled from these countries.

In general, each ASEAN country has carried out its own activities on drug law enforcement and, in particular, has tried to initiate more severe narcotics laws to intercept the flow of illicit drugs. The implementation of programmes carried out by each ASEAN country is summarized below.

### *Indonesia*

Indonesia is a transit point of illicit drug traffic to Australia and Europe. Morphine and heroin are smuggled into the country and are widely abused. Indonesia has been facing the problem of illicit cannabis cultivation; however, the Government has detected and destroyed cannabis plantations. The Government emphasizes community participation and encourages the public to give information on the source of illicit drugs. Preventive programmes are undertaken and used as a means to control the drug sources, users and the illicit drug traffic. Legislative measures have been adopted as protection against dangers of the illegal use of drugs. Severe measures are taken for strict control of cultivation and production of illicit drugs.

### *Malaysia*

Malaysia shares a border with Thailand. Consequently, there is no doubt that Malaysia faces the problem of drug smuggling from the "Golden Triangle" via Thailand. The Malaysian Government has intensified control measures and set up check-points near the border between Malaysia and Thailand in order to detect illicit drugs and chemicals essential for narcotics production. Existing laws have been amended and strengthened to include more severe penalties for drug offences. The principal law controlling drug abuse, the Dangerous Drugs Ordinance, 1952, has been revised to respond to the changing needs arising from a new drug situation in the country. In 1981, the Berkas Operation was launched by the Royal Malaysian Police to ferret out drug pushers and addicts. This operation was so successful that many traffickers were caught and charged under the Dangerous Drug Ordinance, 1952, including those sentenced to life imprisonment or death.

### *Philippines*

Illicit cannabis cultivation is geographically widespread in the Philippines, but 90 per cent of it is located in northern Luzon. Due to its strategic location on international sea and air routes, the Philippines is used as a transit route in the international illicit traffic of drugs from the Asian mainland to the United States of America and other countries. The main drugs being smuggled into or out of the country are heroin, herbal cannabis, cannabis resin and tranquillizers belonging to the benzodiazepine group, particularly diazepam and nitrazepam. There is very little abuse of heroin, cocaine and lysergic acid diethylamide (LSD) and other hallucinogens. Multiple drug abuse is common, frequently involving cannabis, cough syrup preparations with or without narcotic drugs and tranquillizers.

The Government of the Philippines has a strong policy against illicit traffic in and abuse of drugs. The strategy adopted involves drug supply reduction, drug demand reduction and domestic and international co-operation. The Dangerous Drugs Board is the national central agency of the Philippines on drug matters. It provides policy-making, co-ordinates all activities pertaining to drug abuse prevention and control and is also the special administration that implements the international drug control treaties. The Government has also established the Drug Intelligence Co-ordinating Committee, which is mainly composed of senior heads of operational national agencies dealing with the Government's drug control activities. The Chairman of the Dangerous Drugs Board is a special adviser to this Committee in order to co-ordinate narcotics intelligence efforts. The Government has also strengthened drug law enforcement capability by creating the Narcotics Command under the armed forces of the Philippines, thereby absorbing the Constabulary Anti-Narcotics Unit. The Dangerous Drugs Act of 1972, as amended, has further been amended by providing a fine of from P 20,000 to P 30,000 and life imprisonment or death for illicit drug trafficking, manufacture and conspiracy.

### *Singapore*

Although not a source of supply of illicit drugs, Singapore is a transit point for illicit drug trafficking. The Government of Singapore has instituted severe measures against drug traffickers and has been successful in controlling the drug problem. The strict narcotics law is an effective tool of the Government in the fight against drug-related problems. The Misuse of Drugs Act, 1973, provides for severe punishment for drug trafficking offences; the Criminal Law Act (Temporary Provisions) provides for a preventive detention, e. g. to detain drug syndicate leaders, financiers and drug traffickers without trial. The use of the preventive detention law enables the authorities to cripple major drug trafficking syndicates following the detention of their leaders. Apart from the strict legislation, a two-pronged strategy for the reduction of supply and demand has been adopted.

It was in the light of this strategy that Operation Ferret, aimed at identifying all traffickers and addicts and taking swift action against them, was launched. The pursuance of Operation Ferret with intensive enforcement has helped to contain the heroin epidemic and to decrease the number of drug dependent persons.

### ***Thailand***

As Thailand is the gateway for drugs coming directly from the "Golden Triangle", the Government has made every effort to reduce the drug epidemic and illicit drug traffic. The heroin refineries along the border between Burma and Thailand have been destroyed, and the Shan United Army, the most powerful drug trafficking group, has been driven out. In addition to the attack against the refineries, the interception of chemicals used in heroin production was also an effective measure. The Government has declared a chemical-free zone in eight provinces in the north and five provinces in the south of the country. This measure can help to stop the operation of heroin refineries.

In order to reduce the drug supply, narcotics cultivation control programmes have been launched in the opium poppy growing areas in the north. Crop replacement programmes are successful and the amount of land cultivated with opium poppy has decreased; the hill tribes, which are opium poppy growers, have turned to cultivating other cash crops that earn more income than growing the opium poppy. Parallel to crop replacement programmes are other programmes to promote the hill tribes' standard of living. The Thai Government has received support from foreign countries and the United Nations for the execution of these programmes, six of which are in operation at present. In addition, legislation has been strengthened with the enactment of the Narcotics Act, 1979, which provides severe punishment for drug offenders.

### **Conclusion**

The member States of ASEAN have made every effort to intercept the traffic in illicit drugs. The next step is the unification of drug laws and common measures. The enactment of drug laws that provide for the same level of penalty for narcotic offences, will help member States of ASEAN to increase the effectiveness of the fight against drug trafficking, since past experience has shown that traffickers gained advantages because of differences in drug laws of member States (for example, the penalty for possession of 100 grams of heroin may be different in each country). Undoubtedly, traffickers select as their transit route or destination countries whose drug laws are not strict. Consequently, while differences in the provisions of drug laws are an obstacle to an effective drug control, the

enactment of common drug laws for member States of ASEAN is also difficult. However, the countries have continually sought to introduce common measures that can be used as a base for further development leading to a common drug law.

The recommendations of the ASEAN drug experts' meeting on the enforcement of narcotics laws were taken as measures by ASEAN countries. During the Sixth Meeting in Singapore, held in 1981, member States were urged to adopt, in accordance with their existing laws, measures to deny the issuance and renewal of travel documents to illicit drug traffickers, manufacturers and financiers. Member States responded readily to this recommendation, which was in conformity with provisions of their existing laws. In the future, ASEAN looks forward to initiating drug laws for ASEAN as a whole that will be standard legislation. Above all, however, the member States adhere to the concept of mutual co-operation to eradicate the drug problem from the region.

A wide exchange of information has been achieved among the member States, each State showing its strong policy to control the drug epidemic and to intercept the illicit drug traffic. The successful interception of illicit drugs will benefit not only the people of the ASEAN countries but also people in the rest of the world. As the main source of illicit drugs is situated in the region, ASEAN will continue to work towards eradicating the illicit supply of drugs.

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