

**DECLARATION ON CONTROL OF
ILLCIT DRUG TRAFFICKING AND ABUSE IN AFRICA
IN AFRICA (2002-2006)**

We, the Heads of State and Government of the OAU/AU meeting in our 38th Ordinary Assembly in Durban, South Africa, have undertaken a comprehensive review of the implementation of our Declaration and Plan of Action No AHG/Decl. 2(XXXII) adopted in July 1996 in Yaounde, Cameroon on Control of Drug Abuse and Illicit Drug Trafficking in Africa.

We note with serious concern that despite actions taken by our countries, individually and collectively, regarding drug control in Africa, there is a rapid progression of drug abuse in particular among children, young adults and women; and to areas previously unaffected on our continent. We are equally concerned about the increasing variety of abused drugs and the escalation of illicit trafficking in narcotic drugs, psychotropic substances and chemical precursors.

New trends have started to have devastating impacts on our countries and peoples and ultimately on the efforts of African Governments to build democratic societies, to achieve sustainable economic development and to ensure security for our people. These are compounded by the escalation of the combined effects of drug abuse including Injecting Drug Use and HIV/AIDS; drugs and organized crime, money laundering, conflicts, internally displaced people, unemployment, gender insensitivity and street-children. The inadequacy or lack of facilities for the treatment, rehabilitation and reintegration of victims of drugs is also becoming increasingly evident. Consequently, we support the formulation and implementation of joint drug and AIDS control projects in our countries.

We welcome measures, which have been taken at the national, regional and continental levels to curb drug abuse and illicit trafficking and associated problems, and call on African governments, civil societies NGOs and the organised private sector to intensify their efforts in this regard.

We reaffirm our commitment to the measures identified in the 1996 Declaration and Plan of Action on the Control of Drug Abuse and Illicit Drug Trafficking, taking into account emerging associated problems. In this context, we commit ourselves and our countries to ensure an integrated and balanced approach to drug control and to mobilize adequate human material and financial resources, including from the organized private sector, in order to address the problem effectively including the provision of safe working environment, and in a timely manner.

We call on all our development partners, all the relevant UN agencies, and in particular UNDCP, to assist African Countries by providing adequate technical and financial support.

With the view to giving effect to this Declaration and ensuring that the problems of drug abuse and illicit trafficking are effectively addressed through a comprehensive plan, we

adopt the following revised Plan of Action on the Control of Drug Abuse and Drug Trafficking in Africa. In so doing, we will accord priority to institution building and policy development, information, research and networking, legal system and implementation law including national and regional law enforcement and control capacities and measures, reduction in demand for drugs, and promotion of international co-operation.

We are convinced that the implementation of the revised Plan of Action can make a significant contribution to poverty eradication and as such we will situate the Plan within the overall framework of NEPAD, as our integral programme of the African Union.

PLAN OF ACTION FOR DRUG CONTROL IN AFRICA: 2002-2006

Broad Objectives of the old Plan of Action: 1997-2001

The broad objectives of the Plan of Action, adopted in 1996 were:

- a) Assessing the drug problem in its two aspects of supply and demand of illicit drugs as well as ensuring the capacity of countries to address the problem;
- b) Integrating drug demand reduction programmes into the national health and social policy and providing, where not available, infrastructures for treatment of drug addicts and their social integration;
- c) Evaluating periodically the programmes that were being implemented;
- d) Ensuring coherence of action in drug control at national, regional and continental levels;
- e) Setting up appropriate institutions to address illicit drug trafficking and demand in a balanced, integrated and timely manner;
- f) Developing human resources and mobilizing resources at national, regional, continental and international levels for carrying out the actions identified
- g) Mobilizing the community and non-governmental organizations in eradicating drug abuse and illicit trafficking in Africa; and
- h) Adopting African and International Drug Conventions and legal instruments to deal with the problem;
- i) Fostering cooperation among countries sharing the same problems, preferably in the same region.

The Assembly of Heads of State and Government in Yaounde, Cameroon in 1996 committed itself to:

- a) The active integration of drug control into national policies by allocating adequate resources for drug control activities;
- b) Ensuring that mechanisms for the collection and analysis of data on the drug problem are introduced to improve formulation of policies;
- c) Institutional building;
- d) Human resources development;
- e) Suppression of illicit drug traffic;

- f) Reducing illicit demand for drugs;
- g) Community mobilization, and
- h) International cooperation.

Rationale for the Review of the 1996 - 2001 Plan of Action

Since the adoption of the Declaration and Plan of Action on Drug Abuse and Illicit Trafficking Control in Africa in 1996, efforts were deployed for its effective implementation.

The overall implementation was impeded by the following constraints:

- a) Political instability in some countries and regions;
- b) Challenge of limited resources in the context of competing needs or demands regardless of the political will;
- c) Absence of effective follow-up, monitoring and mobilization mechanisms;
- d) Inadequate institutional capacity at the OAU for drug control.

Despite these constraints, some successes were recorded in the areas of:

- a) Raising the profile of drug control in the continent;
- b) Support of the capacity of OAU Secretariat to address drug control by the establishment of the Drug Control Focal Point (DCFP);
- c) Developing and implementing of national and regional drug control strategies;
- d) Improving the research capability and institutional data collection mechanisms in many countries;
- e) Capacity building at the national and regional levels in the areas of coordination, law enforcement, legislation, judicial training and demand reduction;
- f) Development of data base of African Experts on Drug Control as well as African NGOs active in Demand Reduction activities.

The drug problem in Africa is further exacerbated by the salient of emerging issues such as:

- a) HIV/AIDS, increasing injecting drug use (IDUs), growing variety of drugs of abuse - including local plants, solvents and other substances;
- b) Poverty
- c) Gender inequality,
- d) Conflicts, human displacement, refugees and voluntary migration;
- e) Street children;
- f) Trafficking in humans, especially women and child for labour and sexual exploitation;
- g) Organized crime and increasing sophistication of organized African criminal syndicates with international ramifications coupled with terrorism.

Since the adoption of the Declaration and Plan of Action in 1996, new policies and strategies of addressing the problems of drug abuse, illicit trafficking and associated

crimes have emerged, including the SADC regional drug control programme, the ECOWAS regional drug control programme and the UNDCP Drug Control Strategy for Africa. Other measures also include:

- a) Mainstreaming drug control into development planning and implementation incorporating elements of poverty alleviation, women empowerment, alternative development strategies and HIV/AIDS programmes;
- b) Strong partnership particularly with sister organizations at the regional and international levels for increased visibility and resource mobilization for drug control;
- c) The transformation of the OAU into the African Union (AU); and
- d) The adoption of the New Partnership for Africa's Development (NEPAD).

The Plan of Action was subsequently revised during the First OAU Ministerial Conference on Drug Control, which was held in Yamoussoukro, Cote D'Ivoire in May 2002

Revised Plan of Action

The revised Plan of Action consists of the following key areas: Institution building and policy development; information, research and networking; legal systems and implementation of laws; integrated drug demand reduction; National Law Enforcement and Control Capacities; Regional Law Enforcement and Control Measures and International Cooperation. The basic components of the revised Plan of Action, have been structured around the following key objectives and strategic actions (table below):

Plan and Strategic Actions

Key Areas Objectives Action

1. Institution Building and Policy Development (a) Create a strong coordination unit at the OAU/AU and more effective cooperation between RECs for the discharge of their coordination function and advisory services; - OAU/AU to establish a drug control unit at the Secretariat for advocacy, policy development, coordination, resource mobilization and collaboration with agencies of the UN and relevant international and continental drug control organizations.- The OAU/AU to advocate for the establishment of Drug Control Units (DCUs) in Member States and the RECs without DCUs as well as the coordination and the strengthening of the existing DCUs.- To support RECs in the development of regional Drug Control Strategies in order to provide for the implementation of the regional legal instrument.

(b) The OAU/AU to play the lead role - The OAU/AU to form Partnership with sister organizations at the regional and international level;

(c) Support Regional and National policy- making bodies to develop integrated policies and strategies addressing drugs and drug-related problems. - RECs and Member States to sensitize and train development planners and policy-makers in each country to mainstream drug control into regional and national development planning, including HIV/AIDS Programmes;

(d) Encourage and support the mainstreaming of drug concerns in all aspects of regional

and national development plans; - RECs and Member States to introduce and sustain poverty alleviation programmes, and alternative legitimate sources of employment and income agricultural and non-agricultural sectors among groups and in areas prone to cultivation and trade in cannabis and other related substances;

(e) The OAU/AU to make efforts at mainstreaming components of drug control dams into relevant programmes and activities at the General Secretariat;

(f) Create frameworks in the concerned Member States for developing and implementing sustainable alternative development strategies for the control of illicit drug trade and cultivation, especially of cannabis, Khat and opium poppy. - Member States to promote sustainable producer cooperatives (especially in the agricultural sector), micro-credit schemes and community self-help projects through grants and extension programmes;- Member States, RECS and OAU to train staff at national level and jointly at the regional and continental levels, and encourage expert-exchange through secondment; organize conferences and workshops, and refresher courses.

(g) OAU/AU to take the lead note in formulating policy on Alternative development, and organise training workshops in coordinating with development partners, for Member States

(h) Member States to maintain effective control of licit, narcotic drugs, psychotropic substances and processor chemicals to ensure availability for medical scientific purpose and industrial purposes (in the case of chemical precursors) and prevent their diversion into illicit market. - Member States should develop or strengthen policy and legislative measures to control licit drugs- Re-orientate and train pharmacy and medical personnel to maintain rational use of drugs

2. Information, Research and Networking: (a) Create networks of local African experts in licit drugs, in key domains (demand reduction, drug abuse Epidemiology, judicial cooperation, money laundering, law enforcement) and Utilize expert networks in project design, delivery and evaluation, and in the conduct of local and regional studies on key issues. - Member States, RECs and OAU to train personnel, create and maintain data base on drug control organizations (including NGOs) and experts in Africa in order to facilitate networking among them within the context of research, conferences, workshops and publications, and for purposes of exchanging expert skills and the design, delivery and evaluation of programmes;

(b) Facilitate better communication and exchange between African experts and those from other continents to adapt existing standards to the African environment; - Member States and RECs to train researchers and journalists on gathering, analyzing and reporting information on drugs and drug-related issues;

(c) Conduct targeted research to improve data collection and analysis of drug abuse and HIV/AIDS and drug-related crime in Africa; - Member States to establish national and/or regional research centre(s) for the study of all aspects of drug - production, distribution, abuse, law enforcement, policies, prevention education, counselling, treatment, and rehabilitation. - Research and Educational institutions should be strengthened and engaged in drug control research.

(d) Develop effective management of data and information collection, analysis, utilization, dissemination, storage and retrieval. - Member States, RECs and OAU to establish or strengthen and adequately fund research, data and information management systems;

3. Legal Systems and Implementation of Law: (a) Update drug control, organized crime and money laundering legislations with a view to harmonise these legal instruments; - RECs and Member States to develop framework for reform and harmonise drug laws to take account of organized crime, money laundering, electronic and communication revolution and their use in drug trafficking and money laundering;
- (b) Support the development of legal sanctions and remedial measures that distinguish among drug offences and offenders; - RECs and Member States to reform drug laws to ensure due observance of rule of law and protection of human rights, and to differentiate between various types of drug offences and offenders;- Member States to develop monitoring standards on the sentence administration and procedure.
- (c) Facilitate training in the effective use of different sentencing options for different drug offences and offenders; - RECs and Member States to ensure that where required judges, magistrates and prosecutors are properly trained and equipped for effective administration of law.- Establishment of dedicated drug courts by member countries, where necessary.
- (d) Support the development of legislation to offer treatment options for drug offenders as against jail terms.
- (e) To provide treatment and rehabilitation opportunities for prison inmates.
- (f) Upgrade legal and judicial institutions to increase their capacity to provide optimal training.
- (g) Regulate the advertisement of licit substances that could serve as gateway to drug abuse.
4. Integrated Drug Demand Reduction: (a) Create stronger health and social services, NGOs and outreach programmes for drug abusers and risk groups; - Member States to establish and strengthen health care institutions (including establishment of drug counseling, detoxification) for effective management of drug abuse;
- (b) Strengthen Drug Education for in- and out-of-school youth; - Member States to introduce and sustain drug education activities in educational institutions and community; - Member States to develop and distribute model drug education curriculum for educational institutions and community-based programmes;
- (c) Involve the media, opinion makers and communities in drug abuse awareness; - Member States to prepare, produce and distribute information and enlighten materials to the public, especially groups at risk through educational institutions, employers and labour organizations, religious and traditional institutions, NGOs, CBOs, and the mass media;
- (d) Conduct treatment, rehabilitation and research programmes in all countries more so those with severe drug abuse problems;
- (e) Develop alternative development opportunities for those involved in the cultivation of cannabis and trafficking in illegal drugs.
- (f) Increase research and studies on new drug abuse patterns and trends, and on drug abuse and HIV/AIDS not restricted to IDU and to document best practices. - Member states and RECs to initiate and promote research on new drug abuse patterns and trends, and on drug abuse and HIV/AIDS not restricted to IDU.- To research, publish and disseminate best practices in prevention, treatment and rehabilitation. OAU/AU and RECs to be involved in the dissemination.
- (g) To undertake public enlightenment to curb widespread use of licit substances that

serve as gateway to drug abuse. - Member States to develop and enforce strict standards for the advertisement and sale of tobacco and alcohol.

5. National law Enforcement and Control Capacities: (a) Establish and maintain an integrated drug law enforcement capacity at key points of entry (seaports, airports and land borders). - Member States to maintain effective drug law enforcement capacity at the ports and borders;- Member States to create adequately funded and equipped and properly managed drug law enforcement agencies;

(b) Establishment of a National focal point to coordinate drug-related crime intelligence between drug law enforcement units and national intelligence agencies. - Promote bilateral agreements between neighbouring countries and support cross-border cooperation and joint investigations against drug trafficking and other transnational organized crime;

(c) Strengthen training and logistic support to specialized units against illicit drug trafficking and organized crime, money laundering, corruption and trafficking in human beings; - Member States to ensure proper and continuing training for drug law enforcement officials, Custom and Immigration personnel, Central Bank and commercial banks' staff;

(d) Improve cooperation between law enforcement, forensic sciences and the judiciary; - Member States and RECs to enhance cooperation between drug law enforcement agencies, health and trade authorities, the judiciary and financial sectors.

(e) Establish control structures and mechanisms to limit the diversion of licit drugs to illicit markets. - Member States to reform their laws for effective regulation of importation, marketing and prescription of pharmaceutical drugs;

6. Regional Law Enforcement and Control Measures: (a) Support the creation of operational cooperation among law enforcement bodies in countries with similar pattern of drug problem; - RECs to establish a liaison bureau to facilitate operational cooperation, bilateral agreements, joint training and operation, expert exchanges, joint conferences and workshops, intelligence sharing among their Members and between Member States of other RECs.

(b) Establish direct cooperation between African entry ports and source/main destination countries; - RECs to establish a liaison bureau to facilitate operational cooperation, bilateral agreements, joint training and operation, expert exchanges, joint conferences and workshops, intelligence sharing among their Members and between Member States of other RECs.

(c) Facilitate training programmes and the procurement of equipment to specialized units for their participation in international operations against drug trafficking and other organized crime. -

7. International Cooperation: (a) Promote international cooperation in the fields of drug control; - Member States and RECs to collaborate with UN Agencies, the ICPO INTERPOL, international agencies active in the fields of development law enforcement and drug control in order to mobilize resources, exchange expertise, intelligence, information and capacity building;

(b) Advocacy to enhance international support for development and drug control efforts in Africa by UN agencies, international development and drug control organizations, - OAU to mobilise additional resources for the promotion of drug control efforts in the continent.

(c) Support the signing and ratification of UN Conventions and Protocols on drugs. - Member States to sign and ratify UN Conventions and protocols;

Implementation Strategy

a) Role of OAU/AU

The OAU/AU is to play the following roles (advocacy, policy development, mobilization of resources; coordination and monitoring; capacity building):

- Advocacy:

§ Maintain drug control on the Agenda of OAU/AU meetings

- Policy Development:

§ Develop appropriate policies and programmes, especially to tackle complex and new trends in drug trafficking, drug abuse and money laundering;

- Mobilisation of Resources:

§ Efforts would be made to involve UN agencies, international organizations and the International community as financial and technical cooperating partners.

- Coordination, monitoring and evaluation:

§ Coordination, monitoring and evaluation of drug control efforts of RECs and member states including its own efforts.

b) Partnerships

The successful implementation of this plan requires broad partnerships at member state, regional, Continental and International levels. The Media, Women's Organisations, Non-Government organizations, Civil Society Organizations, faith-based organizations, Community-Based Organizations, Labour Organization students' organization and the private sector are an integral part of this partnership.

c) Implementation Target

Given the different levels of capacities and available resources among member countries in the implementation of this Plan, it is expected that countries will have achieved at least 2 activities in each of the priority areas identified at the mid-term of this Plan. It will be up to member states, given their own priorities, to select their activities.

A mid-term review the Plan of Action after two years and a final review before the end of the given period shall be conducted.

d) Monitoring and Evaluation

- (a) Member States, RECs and OAU to establish effective monitoring and evaluation framework to monitor and evaluate their respective implementation of the Plan and other drug control programmes;
- (b) Member States to respond promptly to requests for information by RECs and OAU;
- (c) Annual OAU Reporting system to be introduced to provide assessment of institutions and efforts;
- (d) An inter-ministerial/inter-agency joint review framework for periodic assessment of the implementation of the Plan should be set up.