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Lao National Commission
for Drug Control & Supervision



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Proposal for a
Comprehensive Drug Control
Programme

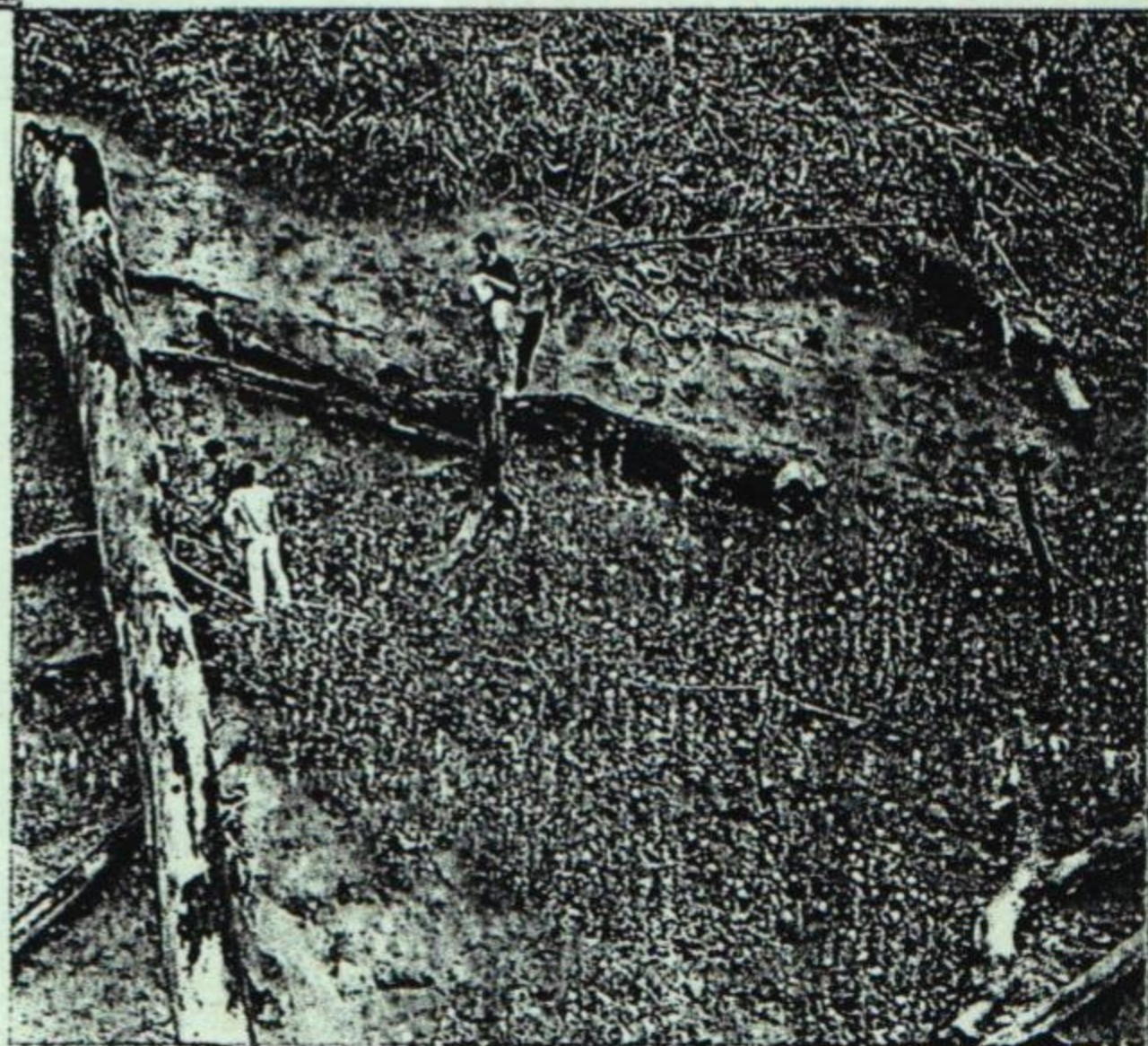
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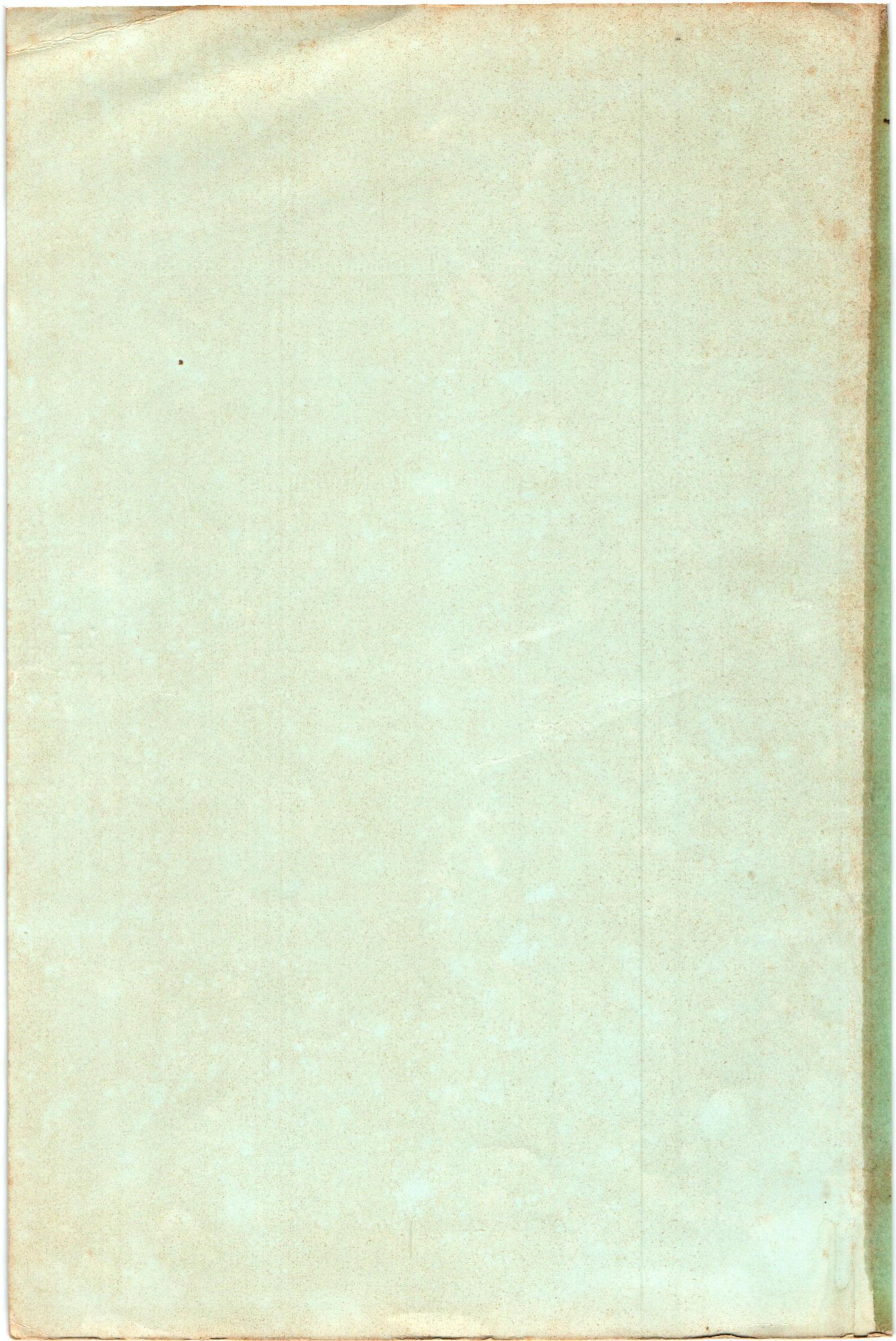
Summary

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December 1993

Lao National Commission for Drug Control and Supervision

**Proposal for a
Comprehensive Drug Control Programme**

Summary

Vientiane 1993

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I. INTRODUCTION

A. Background & Purpose

The Lao People's Democratic Republic is one of the countries bordering the so-called "Golden Triangle", infamous for drug production, trafficking and nowadays also for drug addiction. Since 1989, the Lao Government has been receiving assistance from the international community for drug control activities in specific opium-producing areas, and in 1990 set up the Lao National Commission for Drug Control and Supervision (LCDC), which - despite limited resources - has been instrumental in coordinating drug control efforts.

Following the successful start of such projects, it was felt, however, that not enough factual information was available concerning the drug situation and that a more comprehensive strategy was required to address all aspects of the drug problem. Therefore, in February 1992, the Lao Government and the United Nations International Drug Control Programme (UNDCP) signed a project document entitled "Assessment of the Drug Problem in the Lao PDR" (LAO/92/554) with two objectives:

1. To assess the drug problem in the Lao PDR.
2. To prepare a proposal for a comprehensive drug control programme for the Lao PDR.

Between February 1992 and February 1993 activities were carried out as outlined in the project document, namely training workshops for staff of the Lao National Commission for Drug Control and Supervision and other ministries, as well as opium production, drug addiction and socio-economic surveys in most of the northern provinces. In August 1992, a Needs Assessment Mission was fielded by UNDCP to review drug control efforts and to prepare a preliminary draft for a comprehensive drug control programme for further consideration. During this process, discussions were held with most of the ministries in Vientiane, with representatives of the justice system, the national assembly, mass organizations, provincial and district administrations, as well as international organizations and the donor community. The present document is the result of these missions, surveys and discussions.

The purpose of this Comprehensive Drug Control Programme is to provide

- a framework and tool for the planning, implementation and monitoring of drug control activities for the years 1993 to 2000;
- an integrated plan presenting drug problems as well as drug control policies and strategies in their totality;
- a tool to raise funds for drug control activities in a coordinated manner.

Although this document and the proposed strategies may seem fairly well defined in many ways, the Programme should be considered a flexible instrument to be adjusted when required.

B. Structure of the Documentation

The full report is sub-divided into three volumes:

- Volume 1: Assessment of the Drug Situation. This volume contains an assessment of the drug situation, in particular as regards opium production and addiction. (ອາໄສ/ສູນສູນ)
- Volume 2: Programme Document. This volume contains the main report with a summary of the drug situation, a review of previous drug control activities, objectives of the Programme and sectoral strategies.
- Volume 3: Project Proposals. This volume contains proposals for projects required to implement the Comprehensive Drug Control Programme and for which the Lao Government seeks donor support.

II. GENERAL BACKGROUND INFORMATION ON THE LAO PEOPLE'S DEMOCRATIC REPUBLIC

A. The Geographical Setting

The Lao People's Democratic Republic is a landlocked country with a land area of 236,800 km², stretching more than 1,700 km from north to south and between 100 and 400 km from the east to the west. It shares borders with Vietnam (1,957 km), with Cambodia (492 km), with Thailand (1,730 km), with Myanmar (230 km), and with China (416 km). About 80% of the country is mountainous, with altitudes ranging from 200 to 3,000 m. About 47% of the area is covered by forest.

B. Population

The Lao PDR is a "multi-ethnic" state. With a population of 4.36 million (1992) it is home to 47 different ethnic groups, commonly divided into three broad categories:

- (1) The Lowland Lao (Lao Loum) occupy the lowland plains where they practice irrigated agriculture. They constitute about 65% of the population. This category also includes Tai, Lue and other Tai-speaking groups. Most of the Lowland Lao practice Buddhism.
- (2) The Upland Lao (Lao Theung, about 25% of the population), include Mon-Khmer speaking groups with the Khamu as the largest group. They occupy the mountain slopes where they usually practise swidden rice farming.
- (3) The Highland Lao (Lao Soung), include Hmong, Yao, Ikor, Musser, Kui, Haw, Phounoy and some smaller groups of the Sino-Tibetan language family. They typically live on the mountain tops in northern Laos and constitute about 10% of the population. The Lao Soung grow non-glutinous rice in swiddens as a staple crop. Opium and livestock are major sources of cash income.

C. The Political Structure

After 16 years without a constitution, the People's Supreme Assembly adopted one in 1991. In it the Lao People's Democratic Republic is defined as an "independent, sovereign and unified country" belonging to the "multi-ethnic Lao people". Article 8 specifically maintains that "the state implements its policies in line with the principle of equality of all ethnic groups. All ethnic groups have the rights to preserve and promote the fine customs and culture of the nation and of their own ethnic groups. The state implements every measure to upgrade and develop the levels of the socio-economy of all ethnic groups". The constitution defines the role of the National Assembly as the legislative body, the role and function of the Government as the executive body headed by a Prime Minister who is to be appointed by the President, and the role of the President as the head of state, to be elected by the National Assembly with a 2/3s-majority. Through a vote of no-confidence the National Assembly can dissolve the Government. The constitution also establishes the judicial system, with the People's Supreme Court as the highest judicial organ, as well as the Public Prosecution Institute.

D. The Administrative Structure

Administratively, the Lao PDR is organized in 16 provinces, the municipality of Vientiane and one special region, with population figures ranging from 59,000 (Sekong Province) to 673,000 (Savannakhet Province). The country comprises a total of 126 districts ("Meuang") and 11,883 (1992) villages ("Ban"). The sub-districts ("Tasseng") have lost their importance as administrative units but are often referred to indicating specific clusters of villages.

E. The Social Situation

Laos - in particular the northern provinces - is characterized by high infant and child mortality rates (104 per 1000 live births and 156 per 1000 children respectively); child mortality rates can reach up to 500/1000 or more in some remote areas of northern Laos. Life expectancy is 50 years, the second lowest in the region. Half of the children under 5 years old are affected by malnutrition, and approximately 90% of the population lack access to basic health, birth spacing and nutritional services. Diarrhoeal, respiratory, and intestinal diseases are widespread, and particularly virulent strains of malaria are prevalent. In northern Laos, opium is commonly used as a pain killer, and opium addiction is a real problem among some of the ethnic minority groups in this region.

Although estimates of adult literacy vary between 45% to 76%, reasonable estimates are 50% for all adults, with 65% for males and 35% for females. Significant efforts were made to build up primary education after 1975 but, although the ratio of schools to students increased markedly, particularly at the primary school level, the quality of education did not keep pace with the expansion of the system. Ethnic minority groups are even more disadvantaged, with literacy rates estimated at 30-35% for men and 5-10% for women. There are hardly any qualified teachers from ethnic minorities.

F. The Economic Situation

In 1985, the Lao PDR embarked upon a major programme of economic reform, the New Economic Mechanism (NEM), focusing initially on granting management autonomy to some state enterprises. Since 1986, the objectives of the NEM have been refined, and actions have been taken on a broad front, including decontrol of prices and distribution of goods and services, restructuring of the banking system, passage of a foreign investment law, privatization of a number of state enterprises etc. Despite short-term adjustment costs, the success of the reform programme is considered encouraging. The GDP (c. US\$ 225 per capita in 1992) in real terms (constant 1990 prices) grew by 13.5% in 1989, 6.6% in 1990, 4 % in 1991 and 7% in 1992. Inflation in 1992 stayed below 10%. However, about two-thirds of the country - in particular the more remote areas of northern Laos - do not yet benefit from these developments.

G. The National Development Plan

The policy for the economic and social development of the Lao PDR is set forth in the "Political Report of the Executive Committee of the Central Committee of the Lao People's Revolutionary Party", presented in March 1991 at the Fifth Party Congress. The Government's detailed investment plans and sectoral strategies are contained in the draft "Third Five-Year Plan (1991-1995)" and the "Medium Term Policy Framework and Public Investment Programme (PIP)" covering the period 1991 to 1995 and adopted by the Government in early 1992. The PIP is intended to be a comprehensive plan for public investment using domestic and foreign sources of financing to reach the following objectives:

- (a) consolidate the macro-economic reforms to ensure a smooth transition to a market economy;
- (b) improve the efficiency and performance of the public sector;
- (c) accelerate socio-economic development and improve living standards by expanding economic and social infrastructure and increasing the quality and availability of social services, including those for health and education in order to improve the level of human capital; and
- (d) halt the degradation of the natural resource base by developing and adopting sustainable resource and conservation management approaches to the use of natural resources, thereby improving living standards in the long term.

In March 1992, a Round Table Meeting for the Lao PDR took place in Geneva with the assistance of the United Nations Development Programme. The meeting was "*designed for thorough discussion and review of Government development policies and strategies and the support provided by external assistance, as well as for consideration of a specific list of projects and programmes deemed of high priority by the Government.*" In the documents prepared for the meeting, reference is made to the need for control of opium production, and assistance is requested for the implementation of integrated rural development projects aimed at the reduction of opium poppy cultivation.

H. External Assistance

According to the Round Table document, recorded external assistance to the Lao PDR amounted to US\$ 162.2 million in 1990. The categories supplied with the largest shares of assistance were agriculture (19.8%), economic management (18.5%), transport (18.1%), human resources development (13.4%), and natural resources and energy (13%). Social development received 3% and health 2.8%. 16 multi-lateral, 15 bi-lateral and 25 NGO donors from the convertible currency area contributed US\$ 153.3 million. 40% of the assistance was provided in the form of loans. The largest donors were the Asian Development Bank, the World Bank, Sweden, Japan and UNDP. The "Development Co-operation Report", published annually by UNDP, contains an inventory of projects in the Lao PDR.

I. Assistance to Drug Control Activities in the Context of the National Development Plan

Between 1982 and 1988 the Lao Government did not receive any assistance for drug control activities. In 1989, the UNDCP-funded Highland Integrated Rural Development Pilot Project (Vientiane Province) became the first drug control project to become operational. In the same year, the US funded Narcotics Control Project started in Houaphan province. In 1991, the LAO/UNDCP/IFAD Xieng Khouang Highland Development Programme was signed. Another project - funded by UNDCP and Norwegian Church Aid and aimed at drug supply and demand reduction in the provinces of Bokeo and Louang Namtha - started in March 1993. All of these activities focus on the reduction and gradual elimination of opium poppy cultivation and the demand for drugs. On several occasions, bi- and multi-lateral donors invited Lao officials to participate in training seminars and conferences, in particular in the sector of drug law enforcement. In September 1992, the Governments of Laos and the United States signed an agreement for support of drug law enforcement activities.

The sectoral strategies proposed in the present Comprehensive Drug Control Programme are in accordance with the National Development Plan and Government policies:

- At the Round Table Conference in March 1992, the Lao Government requested the implementation of integrated rural development projects aimed at opium reduction.
- Rural development activities aimed at drug control will complement the Government's policy to reduce the ecological risks of slash-and-burn cultivation.
- Rural development activities aimed at drug control in general will contribute to socio-economic development and improved living standards.
- The strategy proposed in the present document will contribute to the improvement of the performance of the public sector:
 - + Strengthening of the capacities to plan, implement, monitor and coordinate rural development activities.
 - + Strengthening of the drug control administration.
 - + Strengthening of law enforcement agencies.
 - + Strengthening of public services in rural areas (agriculture, health, education etc.)

(The implementation of drug control activities will contribute to human development in the Lao PDR in general.

III. THE DRUG SITUATION: AN OVERVIEW

A. Background

Within the framework of the Lao/UNDCP project to prepare a proposal for a Comprehensive Drug Control Programme, an assessment of the drug situation was prepared, based on surveys carried out between March 1992 and February 1993. Since then a decrease in opium production and addiction is on record. The following chapters provide a summary of the findings relating to the drug situation in 1992.

B. Production of Drugs under International Control

1. Opium Production

Production, trafficking and use of opium, and the refining of opium into heroin are considered the problems of greatest concern in the Lao PDR, and therefore the assessment mainly focused on these issues. The opium poppy is grown in the ten provinces of northern Laos and in 58 out of 69 districts in that area. It is estimated that about 60,000 households in more than 2,200 villages are involved in opium production. The area under cultivation and the amounts produced by households vary between different ethnic groups and regions.

Average Area under Opium Cultivation per Household (in ha)

Region	Total	Lao Loum	Lao Theung	Lao Soung
North-east	0.4	0.1	0.4	0.4
North-west	0.2	0.1	0.1	0.3
Average	0.3	0.1	0.2	0.4

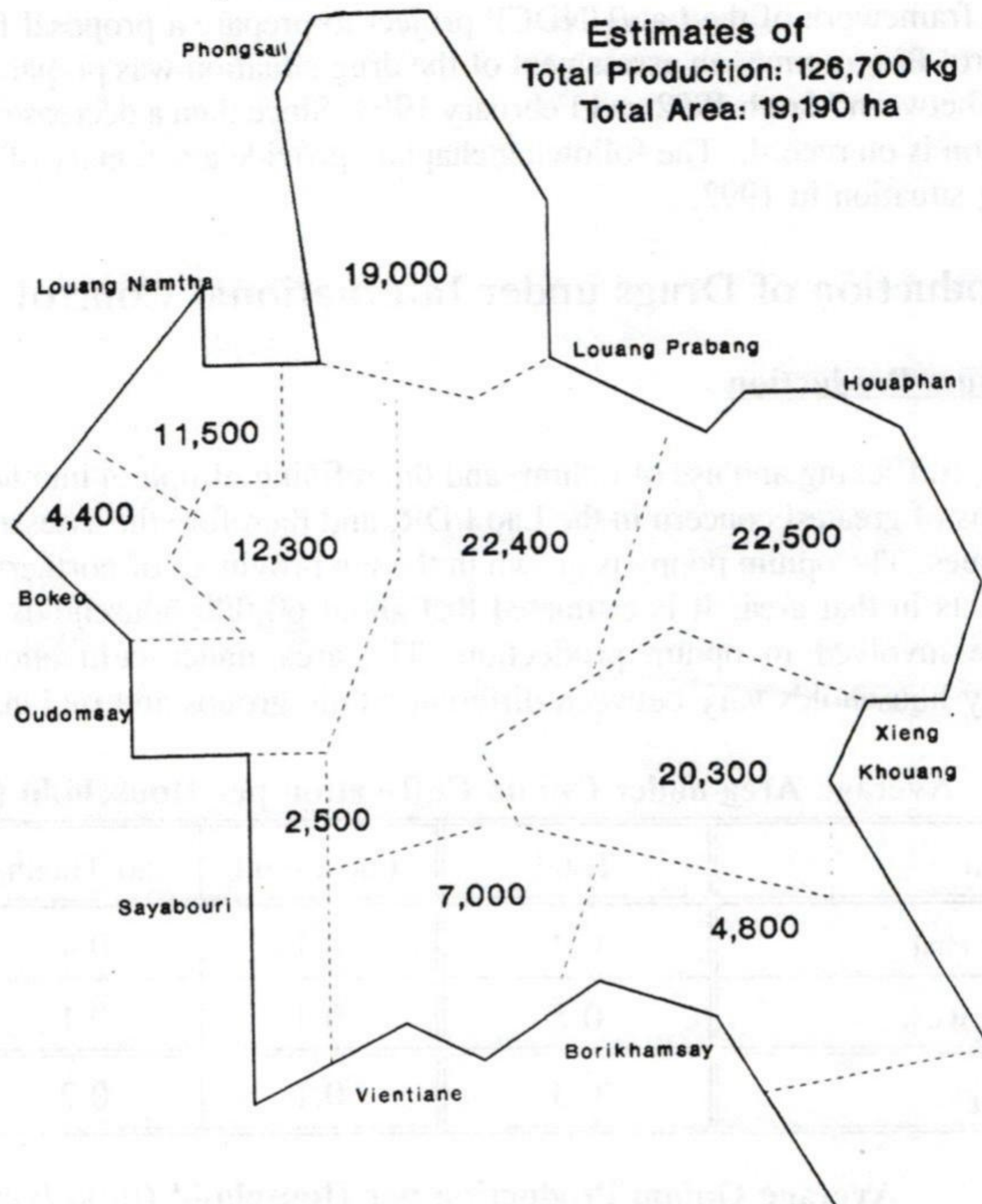
Average Opium Production per Household (in kg/year)

Region	Avg./Region	Lao Loum	Lao Theung	Lao Soung
North-east	2.8	0.5	1	3
North-west	1.4	1	0.5	2
Avg. of househ. interv.	2.2	0.9	0.6	2.8

Based on these average figures on production and area under cultivation per household according to regions and ethnic groups, and assuming a total of 60,000 producing households, the total area under cultivation can be estimated at 19,190 hectares with a total production of raw opium in 1992 of 125 to 130 tons.

Yields of the fields surveyed ranged from 0.5 to 33.5 kg/ha. More than 85% of the opium, that is, more than 110 tons, is produced by the Lao Soung, about 10% (or about 12 tons) is produced by the Lao Theung and the remainder (about 3% or 3.5 tons) is produced by the Lao Loum.

Opium Production in 1992 (kg)



2. Production of other Drugs

Heroin laboratories were discovered in north-western Laos in 1988 and 1990, but no information is available on the processing of opium into heroin at present.

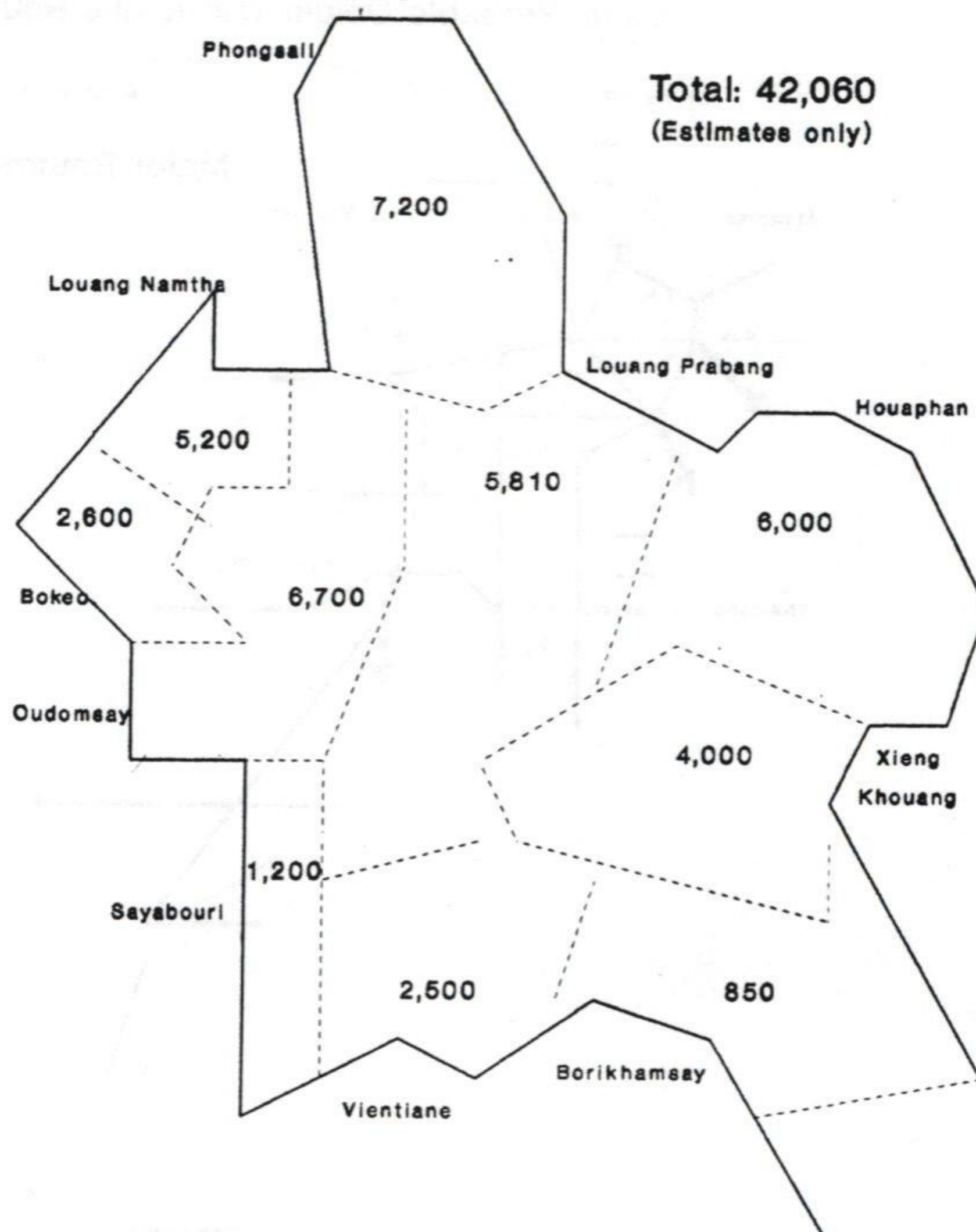
Commercial cannabis production takes place in the southern provinces, despite eradication activities undertaken by the Lao Government.

Little information is available as regards the illicit production of psychotropic substances.

C. Addiction

While heroin addiction seems not yet to be a problem, opium addiction is widespread in the rural areas of northern Laos. It is estimated that there is a total number of 42,000 opium addicts (= daily opium users), of which 60% are Lao Soung, 30% Lao Theung and 10% Lao Loum.

Opium Addicts in Northern Laos (1992)

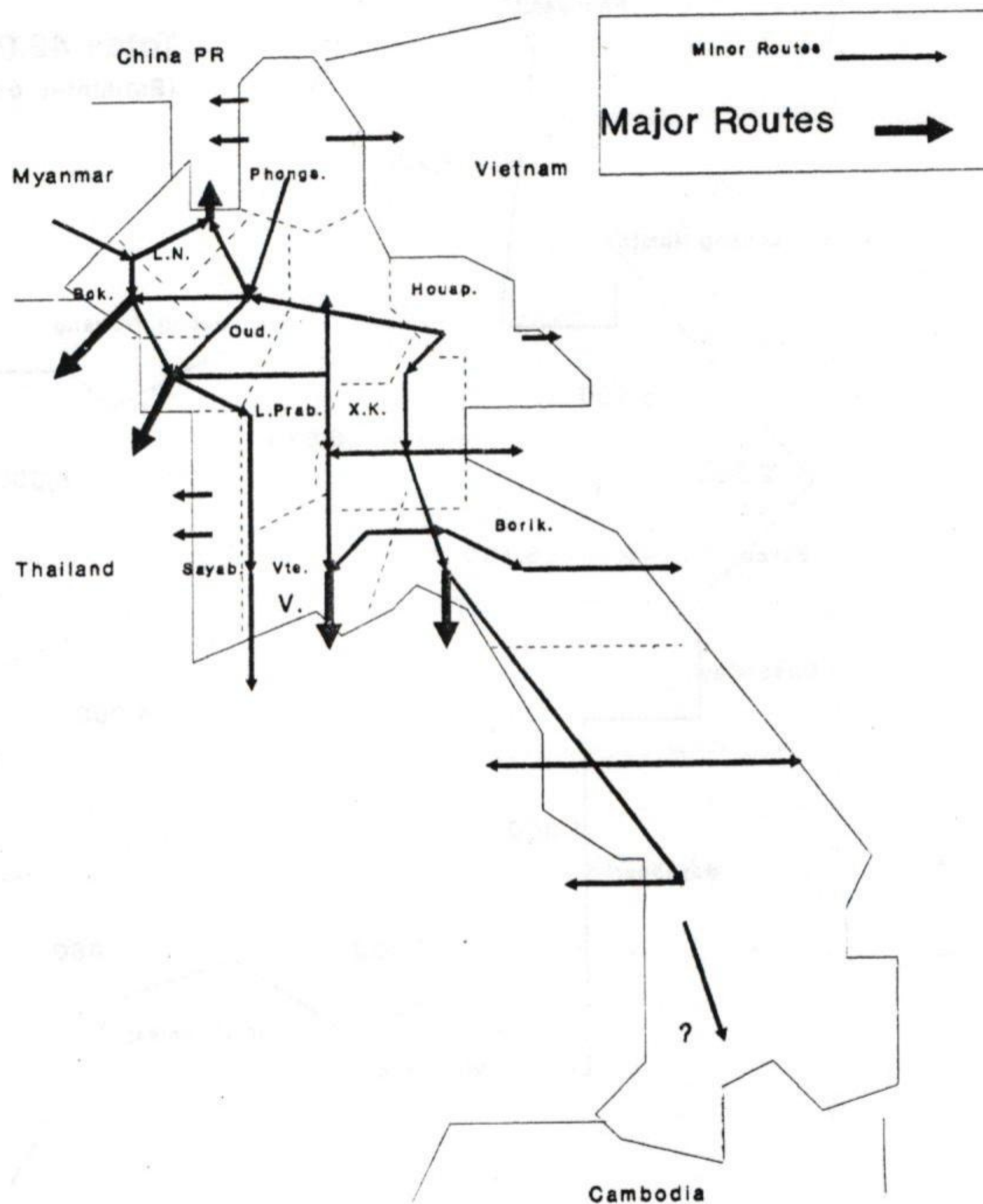


The use of opium as a pain killer over a fairly long period of time was given as the main reason for addiction by addicts interviewed. Addicts consume between 1.3 and 1.8 kg of raw-opium per year, which results in a country-wide consumption of over 60 tons for the purposes of addiction. Adding to this the use for medical and social purposes, the total consumption of opium in Laos is estimated at 80 tons per year.

D. Trafficking

With a production of between 125 and 130 tons and a consumption of about 80 ton, 45 to 50 tons are - theoretically - available for export and/or processing into heroin. Most of the trafficking within the country takes place on a small scale. The patterns that larger-scale trafficking takes seem rather diffuse, and it is assumed that a number of different trafficking routes are used.

Laos: Probable Opium Trafficking Routes



From the middle of 1992 onwards prices for raw opium dropped from US\$ 120 (1991) to less than US\$ 70 per kilogramme, mainly because of law enforcement activities on the part of the Government.

E. Social and Economic Conditions of the Drug Problem

Despite their involvement in opium production, in terms of economic and social development the poppy growers of northern Laos are worse off than the average Lao: they have difficulties meeting their subsistence needs, little access to markets, health services and education; and they have not benefitted from the recent positive economic developments in the Lao PDR since the change to a market-oriented economy. It can be concluded that the production of drugs is not only a problem at the consumer end, but also very much for producers as well. In many ways, the opium-growing farmers of northern Laos are victims of the drug business:

- Historically, they have been led to grow opium as a cash crop to finance, first, the colonial administration and, later on, the costs of the Indochinese wars.
- They have become dependent on the sale of an illegal crop to an international market which is outside their control.
- The producers not only do not share the profits made by drug trafficking, but are also exploited by drug traffickers. With few exceptions, opium producers have difficulties meeting subsistence requirements - despite opium production.
- The producers themselves risk becoming addicted to the drug they produce.
- Some opium producers appear to be better off than many non-opium producers because of opium production. However, the income from opium production often conceals other existing structural problems (problems related to unsustainable farming systems, difficulties in meeting subsistence needs, education and health problems, conflicts between "tradition" and "modernization", population growth etc.). Reliance on opium may thus block social and economic development processes and adaptation to a changing environment.
- The production of an illegal crop keeps opium producers outside the national economy, with the additional risk of law enforcement, but with few opportunities to participate in national development.

Despite the favourable economic development which the Lao PDR is experiencing at present, the outlook for the opium-producing Lao Soung seems to be rather bleak. A report on the social implications of structural adjustment and the "New Economic Mechanisms" in Laos concludes:

In terms of human development (educational level, state of health and income level), this group [the Lao Soung] appears to be the most disadvantaged group in Laos with no indication of improvements in their living conditions in the near future" (UNDP 1991:A1-4).

Rural development activities, aimed at the initiation of alternative economic and social development processes, appear to be the only feasible solution to help farmers get out of this impasse and to find - at the same time - a solution to the drug problem at the producer level.

IV. PREVIOUS ACTIVITIES & DRUG CONTROL PROBLEMS

A. Drug Control Administration

Per Decree No. 25 of 10 April 1990, the Council of Ministers set up the Lao National Commission for Drug Control and Supervision. This Commission answers directly to the Council of Ministers and includes representatives from the ministries of defence, interior, health, education and agriculture. It is chaired by the Vice-minister for Foreign Affairs. At the same time, a Permanent Secretariat was established at the Ministry of Foreign Affairs, with two staff from the Ministry of Foreign Affairs assigned to it full time.

An important achievement of the LCDC during its first three years was to make sure that drug control was put on the political agenda as an important problem to be dealt with. This has led to a greater awareness at various political and administrative levels, which has contributed considerably to the fact that the Lao PDR is the only country in the region (if not globally) where drug production appears to have decreased considerably during the last three years.

The Commission and its Secretariat, however, encounter a number of problems:

- In the decree establishing the Commission, its functions, roles and responsibilities were not defined.
- While the Commission was established as a policy body, the implementation of the drug policy at the operational/technical level was not ensured through the establishment of a strong secretariat with technical divisions, through the creation of a central office for law enforcement coordination or through services with expertise in supply and demand reduction. This resulted in the following:
 - + The Commission itself had to assume - at least partly - an operational role.
 - + No drug related expertise could be developed, since there were no technical staff who could be trained.
 - + With few staff members and few experts, it was not possible to pursue a comprehensive drug control strategy and to attract more donor support for drug control activities.
- While the Lao Government received funds for the implementation of specific projects, no Government budget/resources were allocated to the Commission or its Secretariat in general. Therefore the Commission and its Secretariat do not have a budget of their own, and the staff of the Permanent Secretariat is on the payroll of the Ministry of Foreign Affairs.

Legal activities related to drugs under international control (import, export, production, distribution of drugs for medical purposes) are controlled by the Department of Pharmacy of the Ministry of Health.

Law enforcement activities are usually undertaken by the Counter Narcotics Unit (established in August 1992) and the Department of Customs (Ministry of Finance). However, there is not

yet a formal provision for coordination between the different law enforcement agencies.

B. Control of Production

In early 1993, four rural development projects specifically aimed at opium reduction were in operation:

- The Lao/UNDCP Highland Integrated Rural Development Project (LAO/89/550) in the Phalavek area (Muong Hom district, north-eastern part of Vientiane province), a 5-year project (1989 - 1994) with external inputs of US\$ 5.8 million.
- The Lao/USA narcotics control project in Houaphan province (1989 - 1995) with external inputs of US\$ 8.6 million.
- The Lao/UNDCP/IFAD Xieng Khouang Highland Development Programme (LAO/91/551-553), with external inputs of US\$ 6 million from UNDCP (for technical assistance 1991 - 1995) and a US\$ 5.3 million loan from IFAD (1991 - 1997).
- The Lao/UNDCP/NCA Drug Supply and Demand Reduction Project in North-western Laos (Bokeo & Louang Namtha; LAO/92/760), 1993-1994, with contributions from UNDCP (US\$ 900,000) and Norwegian Church Aid (US\$ 150,000).

A number of rural development projects, aimed at the reduction of slash-and-burn cultivation, have an indirect impact on opium reduction.

In addition to efforts to reduce opium production through rural development, the Government in recent years started to eradicate cannabis plantations in various parts of the country.

Based on the assessment of previous activities and drug control problems, the following key areas for improvement can be identified:

- Strengthening of the institutional and legal framework for supply reduction:
 - + Laws concerning production of drugs under international control, including opium.
 - + Coordination of rural development activities, including data gathering and dissemination of information.
 - + Regulations regarding land tenure and import/export and marketing of agricultural produce.
 - + "Poppy clauses" for projects in opium areas not specifically aimed at drug control.

- Implementation of rural development projects comprising activities in the following sectors:

- + Food security
- + Livestock production
- + Crop diversification and cash crop production
- + Agro-forestry
- + Marketing
- + Road construction
- + Health
- + Education
- + Community Development
- + Training
- + Strengthening of responsive Government services

A high degree of community participation during all stages of project planning and implementation must be guaranteed. Care must be given to ensure the sustainability of project achievements.

C. Control of Addiction

The reduction of demand was given priority in the years after 1975 by the new Government of the Lao PDR. While heroin addiction had developed into a major problem in the early 1970s, by the late 1970s heroin had been successfully eliminated.

Poverty and the lack of basic services are the main reasons for opium addiction in rural areas. Efforts to reduce opium addiction face similar problems as those to reduce opium production. As long as the most basic health services are not in place, it will not be possible to reduce opium addiction, to prevent a further spread of opium addiction or to prevent heroin addiction in rural areas.

Based on an analysis of problems related to demand reduction the following key areas for intervention can be identified:

- Establishment of a drug abuse monitoring system.
- Strengthening of primary health care systems in connection with community development activities.
- Mobilization of community support for rehabilitation and re-integration of addicts.
- Analysis of existing expertise in treatment and rehabilitation within Laos and neighbouring countries.
- Training of personnel involved in treatment and rehabilitation activities.
- Development and implementation of a preventive education strategy (in close

cooperation with HIV/AIDS prevention activities).

- Strengthening of the Lao National Commission for Drug Control and Supervision to enable it to plan and monitor demand reduction activities and to coordinate activities between the different Government and external agencies involved.
- Establishment of the legal framework for the voluntary treatment and rehabilitation of drug addicts.

D. Legislation

In January 1990, the new Penal Code was published, comprising Article 135 which prohibits trafficking of drugs, the production of heroin or other narcotics as well as the possession of large quantities of narcotics, with penalties ranging from 6 months to 10 years in prison. In addition to this article, a number of decrees regulate licit activities (i.e. the production, import, export and distribution of medicines). Laos ratified the 1961 Convention on 22 June 1973.

Legislation is rudimentary. There is no provision for lists or classifications of drugs to be controlled. The decrees on licit activities do not include psychotropic substances. There are no provisions for interdicting the production of narcotics such as cannabis or opium. The paragraph on drug trafficking and possession of drugs is very vague. There are no laws regarding the consumption of drugs. There are no laws providing for international cooperation (extradition, mutual legal assistance, controlled deliveries etc.). There are no laws to control money laundering or organized crime.

Based on an analysis of problems related to drug legislation the following key areas for intervention can be identified:

- Establishment, adoption and maintenance of a classification and tables of substances to be controlled in line with the international conventions.
- Improvement of the legislation concerning legal activities (production, import, export, distribution of drugs under international control for medical purposes).
- Improvement of the legislation with regard to the suppression of illegal activities considering national socio-economic and cultural facts as well as in line with international conventions.
- Ratification of the United Nations Conventions.

E. Law Enforcement

In August 1992, the Lao Government established the Counter Narcotics Unit as the lead operational agency for drug law enforcement. In addition, the Department of Customs of the Ministry of Finance is involved in counter-narcotics operations. The checkpoints along the borders are manned by mixed teams of police and customs.

Seizures of heroin and destruction of heroin laboratories by Lao PDR authorities in recent years are a demonstration of the government's efforts to curb narcotics refining and trafficking on Lao territory. As with other components of this programme, the law enforcement effort is hampered and restricted nationally by a lack of infrastructure, especially roads, and the inaccessibility to the mountainous areas of the north and western parts of the country. Added to this are the lack of specialist training, equipment and funds.

Despite this, recent years have seen an increase in law enforcement activities, and statements of farmers and traders confirm that law enforcement activities have become a serious risk which farmers and traders have to take into consideration when they take the decision whether or not to grow and trade in opium or cannabis.

The Department of Pharmacy of the Ministry of Health - and in particular the Division for Narcotics, Psychotropic Substances and Quality Control - is responsible for the control of licit activities related to drugs under international control (mainly pharmaceutical activities). There are, however, a number of problems related to this:

- There is no classification of or scheduling of drugs to be controlled, and the existing laws and regulations on narcotic and psychotropic substances cannot meet the needs of the current situation.
- The roles and responsibility of the different departments of the same ministry are not well-defined, especially as regards the identification and analysis of controlled substances.
- There is a lack of skills and knowledge in all fields. Staff involved in the control of drugs and substances (this includes customs and police officials) for example, do not have the skill and means to test substances found during their field work.
- The laboratories generally lack chemicals, reference samples, working tools, basic equipment, funds for maintenance, and means of transportation (vehicles and motorcycles).

Based on the analysis of problems related to drug law enforcement (including the control of legal activities), the following key areas for improvement can be identified:

- Clarification of roles, responsibilities and lines of communication of law enforcement agencies.
- Improvement of law enforcement coordination, including the establishment of central data bases on seizures, arrests etc.
- Training of law enforcement officials in line with their roles and responsibilities.
- Provision of equipment and other resources to support law enforcement agencies in their functions.

- Establishment of a drug control laboratory to be located in the Drug Quality Control Centre but operated and managed by the Division of Narcotics, Psychotropic Substances and Quality Control.
- Prevention of drug offenses through education, awareness campaigns and seminars for the public and Government officials at central and local levels.

F. International Cooperation

The drug phenomenon is international in nature, and as a primary producer of drugs and because of its location in the so-called "Golden Triangle", international and regional aspects of the drug problem are of particular concern to the Lao Government. International and regional cooperation, both multi- and bi-laterally, are therefore important components of the Government's drug control efforts.

For a number of years the Lao Government has been cooperating with international organizations in drug control matters, in particular with the United Nations International Drug Control Programme.

The Lao Government has also actively cooperated with a number of countries on a bi-lateral basis. On January 9, 1990 the Lao Government and the United States of America signed a Memorandum of Understanding on bilateral cooperation in narcotic matters.

Cooperation with other countries, such as China, France, Germany, Great-Britain, Japan and Thailand resulted in training courses and study tours in particular in the sector of drug law enforcement.

Cooperation with countries of the sub-region has become a major focus in recent years. The Lao Government is working with UNDCP in promoting the sub-regional initiative. In 1991 and 1992, representatives of the Lao Government participated in a series of meetings and consultations with neighbouring countries to strengthen sub-regional cooperation against drugs. In March 1992, delegations of Myanmar, UNDCP and the Lao Government met in Vientiane to discuss possible action against poppy cultivation, drug trafficking and refining, and demand for drugs in the region. A project to reduce drug supply and demand in border areas of north-western Laos, signed in February 1993, is in fact aimed at complementing similar activities on the Thai and Myanmar side of the borders in the "Golden Triangle" area. Also in March 1992, the Lao Government - together with the Governments of Thailand and Myanmar - participated in the first inter-ministerial meeting on drug control issues in Bangkok.

V. OBJECTIVES OF THE DRUG CONTROL PROGRAMME

The Long Term Objective of the Programme

The implementation of this programme will contribute to

- the gradual elimination of opium poppy cultivation, mainly through integrated rural development,
- the elimination of commercial cannabis cultivation,
- the reduction and prevention of demand for drugs (in particular the prevention of heroin addiction),
- the elimination of drug trafficking and refining,
- the control of licit/illicit activities in connection with narcotic drugs, psychotropic substances and precursors under international control,
- the prevention of drug-related crime, and
- the facilitation of international cooperation in drug control.

The Immediate Objectives to be reached between 1993 and 2000

1. Drug Control Administration

- 1.1. The strengthening of the Lao National Commission for Drug Control and Supervision as the policy body in drug control matters.
- 1.2. The strengthening of the Permanent Secretariat of the Lao Drug Commission.
- 1.3. The establishment of an Office of the Counter Narcotics Unit.
- 1.4. The strengthening of the Division of Narcotics, Psychotropic Substances and Quality Control of the Department of Pharmacy as the agency responsible for the control of legal activities and the monitoring of drug abuse.

2. Supply Reduction

- 2.1. Reduction of opium poppy cultivation through integrated rural development projects (including community development, economic, health, education and infrastructure components) in the main opium-growing areas.
- 2.2. Implementation of legal measures against commercial cannabis and commercial opium production.

3. Prevention of Addiction

- 3.1. Development of preventive education capacities at the central as well as at local levels.
- 3.2. At the community level: prevention of demand for opium, heroin and other drugs through stronger community organisation and improved community development assisted by education.
- 3.3. At the national level: promotion of drug awareness through education and various media.

4. Treatment & Rehabilitation of Drug Addicts

- 4.1. Development of treatment and rehabilitation capacities at all (i.e. central, local, inc. community) levels.
- 4.2. Reduction of existing use of opium through the establishment of basic health services within the framework of integrated rural development and community development projects.

5. Legislation

- 5.1. Formulation, adoption and implementation of laws and regulations concerning legal activities.
- 5.2. Adoption and maintenance of schedules of controlled drugs and psychotropic substances.
- 5.3. Formulation, adoption and phased implementation of laws concerning illicit activities.
- 5.4. Formulation and adoption of laws concerning mutual legal/law enforcement assistance.
- 5.5. Formulation and adoption of laws concerning regional judicial cooperation.
- 5.6. Ratification of the United Nations Conventions of 1971 and 1988.

6. Law Enforcement, Laboratory Sector and Control of Licit/Illicit Activities

- 6.1. Strengthening of the agencies responsible for drug law enforcement to implement laws against production, trafficking and refining of drugs and precursors under international control.
- 6.2. Development of expertise and facilities for drug testing for forensic purposes.
- 6.3. Prevention of drug offences through awareness campaigns at national and local levels.

VI. THE DRUG CONTROL PROGRAMME: SECTORAL POLICIES

A. Drug Control Administration

1. The Lao National Commission for Drug Control and Supervision

The Lao National Commission for Drug Control and Supervision will be strengthened to assume the following functions:

- to determine, stimulate and coordinate the policy of the government and its administration in matters related to drug control;
- to prepare the Government's decisions at the national and international level regarding drug and drug abuse control;
- to facilitate the collection of information on drug production, drug prevention and rehabilitation, research on drugs, as well as epidemiological studies and statistics;
- to determine the budget to be allocated to the various ministries and organisations for drug control activities;
- to present each year a report to the Government on the national situation and its development concerning the supply and demand of drugs, and to formulate proposals on action to be taken against drugs.

2. The Office of the Permanent Secretariat of the Commission

To assist the Lao National Commission for Drug Control and Supervision the Office of the Permanent Secretariat will be strengthened considerably to assume the following functions:

- The Permanent Secretariat prepares the decisions to be made by the Commission and ensures their implementation in cooperation with the relevant ministries, departments and organisations concerned.
- The PS represents the Lao Government internationally in drug control matters
- The PS ensures the reporting to the United Nations in drug control matters.
- The PS prepares technical reports on specific drug-related subjects as required.
- The PS prepares publications and is responsible for public relations.
- The PS prepares project proposals for which funding is sought from external donors.
- The PS is responsible for the monitoring of drug related projects.

- The PS is responsible for the compilation of annual drug control workplans prepared by the various ministries, departments and organizations concerned, as well as for the submission of these workplans to the Commission.
- The PS is responsible for the maintenance of drug related databases other than those concerning law enforcement information.
- Within the Office of the PS and in addition to the secretariat, the following technical divisions will be established to provide technical expertise to the Permanent Secretariat:
 - + the division for supply reduction and rural development, staffed with agronomists, agricultural economists and social scientists.
 - + the division for prevention and demand reduction, staffed with health, education (including non-formal education) experts and social scientists, preferably from the Lao Women's Union.
 - + the division for law enforcement which will among other things include a unit for legal development.

The technical divisions will also be responsible for the liaison with and mobilization of resources in the relevant technical ministries concerning the implementation of the annual workplans and other matters related to drug issues.

3. The Office of the Counter Narcotics Unit

An Office of the Counter Narcotics Unit will be established to be in charge of centralising information on investigations and prevention of trafficking of narcotics, psychotropic substances and precursors, in charge of coordination of operations against trafficking, and of cooperation with corresponding services of other countries as well as with international organisations in matters of trafficking.

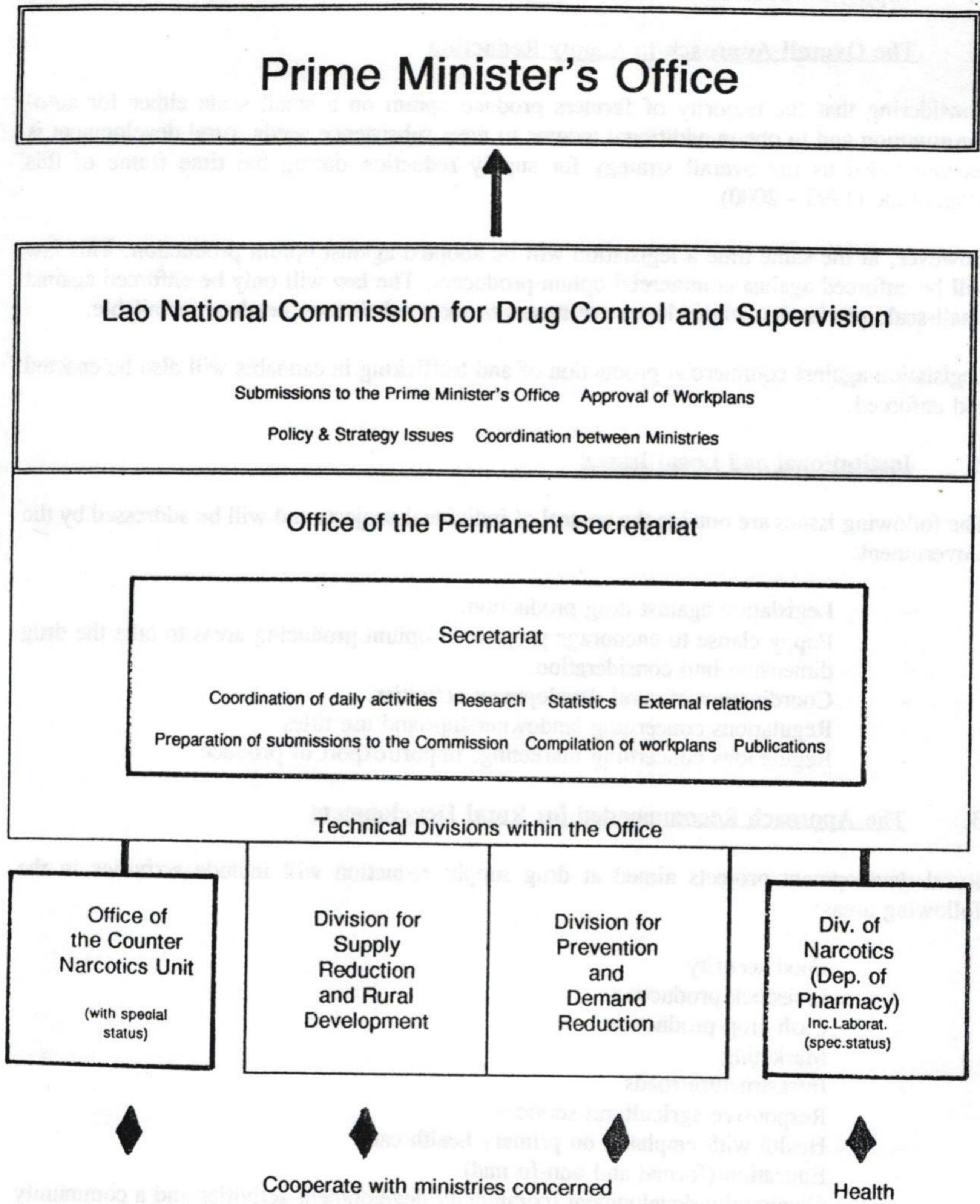
The Office will be directed by a high-ranking official from the Ministry of Interior and will also comprise functionaries from other ministries and agencies concerned such as the Department of Customs. The decree establishing this Office will also determine the number of officials from each agency or ministry to be attached to it.

It is important to note that it is the function of law enforcement coordination and cooperation which matters and not the Office itself. It could therefore be considered that the management of the Counter Narcotics Unit take on the function of an Office of Counter Narcotics, provided it includes some staff from the Customs Department.

4. The Division for Narcotics, Psychotropic Substances and Quality Control

The division of Narcotics, Psychotropic Substances and Quality Control of the Department of Pharmacy will be strengthened and the following responsibilities will be assigned to it:

- Establishment of measures to control the import/export of narcotic drugs and psychotropic substances as well as the preparations containing these substances.
- Inspection of manufacturing, importing and exporting companies for the quality of drugs imported/exported and produced in Lao PDR.
- Proposals for updating laws and ministerial regulations.
- Provision of estimates on requirements of substances for medical and scientific purposes as well as statistics and annual reports in accordance with the provisions of the conventions to INCB.
- Exchange of data and information with international organizations such as INCB, UNDCP and WHO.
- Monitoring and evaluation of the control of licit use, production, sale and distribution.
- Maintenance/updating of tables of substances under control.
- Training of law enforcement officers in drug identification.
- Analysis of drugs seized by law enforcement agencies.
- In cooperation with the Division for Demand Reduction of the LCDC, monitoring of the drug abuse situation.



B. Supply Reduction

1. The Overall Approach to Supply Reduction

Considering that the majority of farmers produce opium on a small scale either for auto-consumption and to obtain additional income to meet subsistence needs, rural development is recommended as the overall strategy for supply reduction during the time frame of this programme (1993 - 2000).

However, at the same time a legislation will be adopted against opium production. This law will be enforced against commercial opium producers. The law will only be enforced against small-scale production when alternative means to meet subsistence needs are available.

Legislation against commercial production of and trafficking in cannabis will also be enacted and enforced.

2. Institutional and Legal Issues

The following issues are outside the control of individual projects and will be addressed by the Government:

- Legislation against drug production.
- Poppy clause to encourage projects in opium producing areas to take the drug dimension into consideration.
- Coordination of rural development activities.
- Regulations concerning landownership/land use titles
- Regulations concerning marketing, import/export of produce

3. The Approach Recommended for Rural Development

Rural development projects aimed at drug supply reduction will include activities in the following areas:

- Food security
- Livestock production
- Cash crop production
- Marketing
- Infrastructure/roads
- Responsive agricultural services
- Health with emphasis on primary health care
- Education (formal and non-formal)
- Community development (community development activities and a community development approach to activities in the other areas)

C. Demand Reduction

The conditions for opium addiction in rural areas are very similar to the conditions and causes for opium production. Activities to reduce supply of drugs through rural development are thus

at the same time aimed at reducing the demand for drugs. The approach to rural development - including community development - proposed for supply reduction is therefore also suggested for demand reduction.

Activities are recommended in the following areas:

1. **Preventive Education**

- Development of preventive education capacities
- Community development
- Drug awareness activities

2. **Treatment & Rehabilitation**

- Development of treatment and rehabilitation capacities
- Primary health care

D. Legislation

A drug legislation for the Lao PDR can be divided into non-controversial parts and parts for which for historical and socio-economic reasons solutions are more difficult to find.

The non-controversial parts include:

- The drug control institutions as described in the chapters on the drug control administration. These institutions are required to meet international standards and the requirements of International Conventions.
- A classification of drugs to be controlled.
- The control of legal activities (production, import, export, distribution of drugs for medical purposes).
- The suppression of illegal activities (in particular refining and trafficking in drugs and precursors).

The more difficult issues and the solutions proposed are:

- The cultivation of high-risk drugs (with opium as the most difficult issue in Laos). Cultivation of high risk drugs needs to be prohibited and provisions need to be made for imprisonment and/or fines. In cases of minor infractions, however, no punishment needs to be pronounced but measures will be introduced to discourage production, taking into consideration the socio-economic context and aimed at helping to substitute income from high risk drugs with alternative opportunities.
- Trafficking in high-risk drugs will be punished by imprisonment and/or fines in cases of intentional infraction of laws and regulations for the production,

fabrication, extraction, preparation, transformation, exportation, importation, international transportation, offer, purchase, seizure, distribution, brokerage, sale, delivery for whatever reason, shipment, transport, purchase, possession or use of high risk drugs.

Nevertheless, in the case of purchase or possession of small quantities intended for personal use, the punishment could be replaced by other measures such as treatment, education, rehabilitation or social reintegration.

- Use of high risk drugs. The use of non-prescribed drugs under control needs to be prohibited. All drugs found in the possession of a person who is using it in a illegal manner is seized and its confiscation is ordered by the juridical authorities who are authorized to take this action even if the said person is not indicted.

Those regulations and laws which are non-controversial will be adopted as soon as possible. Discussion of the more difficult parts will begin along the lines described above. The adoption of a law as outlined above would be a prerequisite for the ratification of the United Nations Conventions of 1971 (Psychotropic Substances) and 1988 (Illicit Trafficking and Money Laundering). Once the national legislation is in place, questions of international (bi- and multi-lateral) legal cooperation will be dealt with in more detail.

E. Law Enforcement

The following agencies and institutions are involved in drug law enforcement:

- The Lao National Commission for Drug Control and Supervision to provide overall policy guidance.
- The Counter Narcotics Unit as the agency in charge of directing law enforcement operations.
- The Customs Department.
- The law enforcement agencies in the provinces and districts.
- The Division of Narcotics, Psychotropic Substances and Quality Control of the Department of Pharmacy in charge of the control of legal activities and in charge of the drug control laboratory used for forensic purposes.

The law enforcement strategy will focus on the following:

- The clarification of roles, responsibilities and lines of communication of the agencies involved.
- The preparation of and training in Standard Operating Procedures for these agencies.

- Training of staff of all agencies.
- Provision of equipment and improvement of premises of these agencies.
- Support to the Department of Pharmacy to improve control of legal activities related to drugs under international control used for medical purposes.
- Support to the establishment of a drug control laboratory for forensic purposes.
- Education and public awareness, that is, the preventive aspect of law enforcement.
- International and regional cooperation against trafficking and organised crime.

This strategy will be implemented as follows:

- Step 1: The agencies need to be established (if not yet done) and their mandates and roles defined by decree.
- Step 2: Preparation of Standard Operating Procedures.
- Step 3: Training of and material support to law enforcement agencies at the central level (i.e. in Vientiane).
- Step 4: One pilot project in one province to develop and test the strategy at the local level.
- Step 5: Expansion of the strategy to other provinces and districts.

F. International Cooperation

Given the international and regional nature of the drug phenomenon, each of the sectors described above will include activities to improve regional and international cooperation: preventive education activities, for example, will have to consider the increasing heroin problem in neighbouring countries, supply reduction projects will have to focus on border areas to avoid that opium cultivation moves from neighbouring countries to Laos as a result of eradication measures in these countries, law enforcement activities will have to include regional cooperation to prevent the use of Lao territory as transit country or for the processing of drugs, and mutual legal assistance is required to interdict activities of multi-national criminal organisations. The ratification of the United Nations Conventions of 1971 and 1988 is part of the recommendations of this Comprehensive Drug Control Programme; it will provide some of the tools for international and regional cooperation.

The Lao Government will in addition continue its dialogue with countries of the sub-region and with UNDCP about regional cooperation, and to translate this dialogue into specific activities. This could include cross-border projects aimed at supply and demand reduction, exchange of information for law enforcement operations, joint training of drug control officers, the development of remote sensing technologies for surveys on narcotics cultivation, agreements on mutual legal assistance, activities against the illicit diversion of precursor chemicals etc.

VII. IMPLEMENTATION OF THE PROGRAMME

A. Responsibilities

By adopting this document the Lao Government will put the Lao National Commission for Drug Control and Supervision in charge of the implementation of this Comprehensive Drug Control Programme. The LCDC will closely cooperate with the various ministries and agencies concerned by the different components of the Programme, in particular the Ministry of Agriculture and Forestry, the Ministry of Health, the Ministry of Education, the Ministry of the Interior, the Department of Customs, the Committee for Planning and Cooperation, and the mass organizations such as the Lao Women's Union.

The strengthening of the LCDC - in line with the recommendations of this document - is, therefore, a priority to enable the Commission to carry out this task. The LCDC will prepare annually a detailed workplan for the implementation of the activities of this programme.

B. Targets/Success Criteria

The following list of targets will help to monitor and evaluate progress made in the implementation of the Comprehensive Drug Control Programme.

1. Drug Control Administration

- LCDC re-organised and strengthened by the end of 1997.
- Efficient implementation of the Comprehensive Drug Control Programme.
- Proficient coordination of drug control activities.
- Mid-term Review carried out in late 1996.
- Final evaluation of the Comprehensive Drug Control Programme carried out in early 2000.

2. Supply Reduction

- A system in place to improve planning, implementation, monitoring and coordination of rural development activities by the end of 1994.
- Successful implementation of rural development projects.
- Reduction of opium cultivation from 130 tons (1992) to less than 70 tons by the year 2000.
- Eradication of commercial cannabis plantations started in 1993.
- Eradication of commercial opium plantations started not later than 1996.

3. Demand Reduction

- A preventive education strategy developed by mid-1995 and fully implemented by 1999.
- A treatment & rehabilitation strategy developed by mid-1995 and fully implemented by 1999.
- No further increase in opium addiction between 1996 and 2000.
- No further increase in heroin addiction between 1996 and 2000.

- No further increase in the use of other drugs between 1996 and 2000.

4. Legislation

- A comprehensive drug legislation formulated and adopted for phased implementation between 1995 and 2000.
- Ratification of the various articles of the 1971 and 1988 United Nations Conventions between 1996 and 2000.
- Government officials concerned trained in matters related to drug legislation.
- A number of agreements on regional and international law enforcement cooperation concluded between 1997 and 2000.

5. Law Enforcement

- The Counter Narcotics Unit fully operational by the end of 1994.
- Other law enforcement agencies at the central level, trained and equipped by the end of 1995.
- Local law enforcement agencies and units trained and equipped by 1998.

VIII. INPUTS REQUIRED & FINANCING OF THE PROGRAMME

The positive impact of the macro-economic reforms and the reform of the public sector will only be visible in a few years. Until then, the Lao Government will not be in a position to finance drug control activities exclusively from its own resources. Given the policy to cut Government staff, there will be an additional problem of allocating staff to implement the Comprehensive Drug Control Programme proposed. The only way to implement the Programme is therefore through a series of projects supported by international assistance. The staffing requirements as well as the financing through Government and external resources can thus be negotiated on a project by project basis.

In addition to salaries for Government staff assigned for drug control activities and projects, which would be on the payroll of the Government, and in addition to large road projects, which will be financed through loans from bi- and multi-lateral donors, the costs for the implementation of the programme are estimated at about US\$ 35 million:

External Funding Requirements

Sector	Amount US\$	%	Sources
Drug control administration Law enforcement, laboratory support, legislation	3,500,000	10 %	Grants from bi- and multi-lateral donors for technical assistance projects
Supply and Demand Reduction	31,500,000	90 %	Grants and loans from bi- and multi-lateral donors for project activities
Total	35,000,000	100 %	

List of Projects Proposed

No.	Title	Duration	Ext. Inputs US\$
1	Strengthening of the drug control administration	1994 - 1998	500,000
2	Supply and demand reduction micro-projects	1994 - 1999	1 million
3	Support to rural development planning and coordination	1994 - 1996	400,000
4	Supply and demand reduction through economic and social development in the Province of Phongsali	1994 - 1999	4.8 million
5	Xaysomboun district development project	1994 - 1999	5 million
6	Supply and demand reduction through economic and social development in the southern part of the province of Oudomsay	1995 - 1999	4 million
7	Follow-up to the UNDCP/NCA project "Socio-Economic Development in Border Areas of North-western Laos"	1994 - 1999	5 million
8	Follow-up to the US/Lao project in Houaphan	1995 - 1999	4.4 million
9	Follow-up to the Lao/UNDCP/IFAD project in Xieng Khouang	1996 - 1999	4.4 million
10	Treatment & rehabilitation strategy	1994 - 1999	1 million
11	Prevention of drug use strategy	1994 - 1999	1.5 million
12	Legal assistance to the Lao PDR	1994 - 1997	200,000
13	Forensic laboratory development in the Lao PDR	1994 - 1999	500,000
14	Assistance in the establishment of the Counter Narcotics Unit	1994 - 1996	500,000
15	Drug control in northwestern Laos	1994 - 1996	300,000
16	Strengthening drug control structures in the Lao PDR	1995 - 1999	1.5 million
16	Estimated total for the programme	1994 - 1999	35 million

IX. MONITORING & EVALUATION

The projects implemented under this comprehensive drug control programme will be subject to reviews, monitoring and evaluation in accordance with individual project agreements.

The overall programme will be monitored and reviewed by the Lao National Commission for Drug Control and Supervision. The Office of the Permanent Secretariat will compile the progress reports prepared by the technical ministries and prepare an annual report for submission to the office of the Prime Minister.

Three years after the start of the overall programme, a national conference (Mid-term Review) will be organized by the Lao National Commission for Drug Control and Supervision to review programme progress with the ministries and agencies concerned as well as with UNDCP and the major donors of the programme. In preparation of this Mid-term Review, surveys will be carried out on the supply, demand and trafficking situation.

At the end of the Programme, that is, in the year 2000, an evaluation will be carried out to analyze the impact of this Programme as a basis for the planning of future activities.

