

# FOCUS on international drug control

Newsletter initiated by the International Narcotics Control Board October ~ December 2010 Issue 7

## INCB President at the European Commission

Hamid Ghodse, President of the International Narcotics Control Board (INCB), accompanied by the Secretary of the Board, Jonathan Lucas, met with Algirdas Šemeta, European Commissioner for Taxation and Customs Union, Audit and Anti-Fraud, in Brussels on

26 October 2010. Discussions focused on the control of precursor chemicals within Europe. In particular, the Commissioner and the President reviewed efforts taken by the European Commission and European Union Member States to prevent the diversion of acetic anhydride,

a substance used in the illicit manufacture of heroin. Also discussed was the problem arising from the diversion of pharmaceutical preparations containing ephedrine and pseudoephedrine, which are used in illicit drug manufacture.

## INCB concludes its ninety-ninth session

The ninety-ninth session of INCB concluded on 12 November 2010. A highlight of the session was an analysis of the linkages between corruption and illicit drug markets, a topic that is the focus of chapter I of the INCB annual report for 2010. According to INCB President Hamid Ghodse, "addressing the vicious cycle of corruption and drug trafficking is crucial to the success of international drug control efforts. Corruption is presently undermining global efforts to solve the illicit drug problem. Brave men and women put their lives at risk daily to protect their societies from the negative consequences of drug trafficking and drug abuse, and corruption puts these efforts at risk". In its annual

report, INCB proposes a number of recommendations for how Governments can address drug-related corruption and intimidation.

During the session, the INCB Standing Committee on Estimates reviewed the supply and demand of narcotic drugs and psychotropic substances used for medical and scientific purposes. It assessed the requirements for licit drugs of each country as part of its efforts to ensure legitimate access to those drugs worldwide. The inadequate availability of controlled drugs to treat pain and mental illness is of such concern to the Board that it decided to thoroughly analyse the consumption of such drugs in

a supplement to its annual report to be released in March 2011.

At its session, INCB reviewed efforts to halt the diversion of precursor

### Contents

INCB President at the European Commission .....	1
INCB concludes its ninety-ninth session .....	1
Recent and upcoming events .....	2
Coming soon: INCB annual report for 2010 .....	2
Meeting of the INCB President with the Director-General of the World Health Organization .....	2
INCB participates in Pompidou Group Ministerial Conference .....	3
Meetings with Governments to foster compliance with the international drug control treaties .....	3
Joint statement on drugs, health and human rights .....	3
Availability of internationally controlled drugs: supplement to the INCB annual report for 2010 ..	4
Reliable data on consumption of psychotropic substances needed to assess the adequacy of the availability of psychotropic substances .....	4
Pre-Export Notification (PEN) Online: the cornerstone of international precursor control ..	5
Recent developments in international precursor control .....	5
Emerging challenge: use of non-scheduled substances in the illicit manufacture of narcotic drugs and psychotropic substances .....	6
INCB missions .....	7
INCB Secretariat .....	9



Members of the International Narcotics Control Board (from left to right): Mr. Raymond Yans, Ambassador Jorge Montaño, Dr. Lochan Naidoo, Dr. Rajat Ray, Ambassador Melvyn Levitsky, Dr. Camilo Uribe Granja, Dr. Carola Lander, Prof. Hamid Ghodse, Dr. Galina Korchagina, Mr. Viroj Sumyai, Dr. Sri Suryawati and Dr. Xin Yu

chemicals and paid special attention to the challenge emerging from the growing use by traffickers of non-scheduled substances in the illicit manufacture of drugs. During the session, the following issues were discussed, among others: the use of cannabis seeds for illicit purposes; the addition of synthetic cannabinoid receptor agonists to herbal mixtures marketed under brand names, including the widely publicized products sold under the brand name Spice; the rapidly increasing availability of a wide array of designer drugs and drugs of abuse designed specifically to circumvent drug control mechanisms; and the covert administration of controlled drugs to facilitate crimes such as sexual assault and ownership fraud. These and other issues will be dealt with in the INCB annual report for 2010.

In addition, recent INCB missions to the following countries were reviewed: Armenia, Azerbaijan, Croatia, Gabon, Georgia, Guatemala and Turkmenistan. Consultations were held with the Chair of the Commission on Narcotic Drugs, the Executive Director of the United Nations Office on Drugs and Crime (UNODC) and representatives of the World Health Organization (WHO), the World Customs Organization (WCO) and the International Criminal Police Organization (INTERPOL) to discuss the latest developments in international drug control and to further cooperation between INCB and each of those entities.

The hundredth session of the International Narcotics Control Board will be held from 31 January to 4 February 2011.

## Coming soon: INCB annual report for 2010

The *Report of the International Narcotics Control Board for 2010* will be launched in Vienna on 2 March 2011. The annual report for 2010 includes an analysis of drug-related corruption, regional trends in illicit drug use, a review of the implementation of the international drug control treaties and coverage of a number of special topics of international concern. In the report, INCB makes a number of practical recommendations for implementation by Governments and international organizations on how to improve the drug control situation. In addition, INCB will publish a supplement on

ensuring the availability of internationally controlled drugs for medical and scientific purposes.

The annual report is also supplemented by technical reports on narcotic drugs, psychotropic substances and precursors. The technical reports provide details on estimates of the annual legitimate requirements in each country, as well as data on the licit production, manufacture and consumption of, and trade in, drugs and their precursors worldwide.

## Recent and upcoming events

### November 2010

- **8-9 November** The Paris Pact Initiative: Expert working group on precursor chemicals, Paris

### February 2011

- **31 January-4 February** International Narcotics Control Board, hundredth session
- **2 February** INCB briefing for Permanent Missions to the United Nations

### March 2011

- **2 March** Launch of the INCB annual report for 2010
- **21-25 March** Commission on Narcotic Drugs, fifty-fourth session

## Forthcoming INCB missions

- Libyan Arab Jamahiriya



Cover page of the Report of the International Narcotics Control Board

## Meeting of the INCB President with the Director-General of the World Health Organization

On 18 October 2010, INCB President Hamid Ghodse met with the Director-General of the World Health Organization (WHO), Margaret Chan, with a view to furthering cooperation between the two entities. Together with INCB Secretary Jonathan Lucas, Prof. Ghodse also held a number of meetings with senior WHO officials, including Anarfi Asamoah-Baah, Deputy Director-General; Ala Alwan, Assistant Director-General for Non-Communicable Diseases and Mental Health; Shekhar Saxena, Director of the Department of Mental Health and Substance Abuse; Vladimir Poznyak, Coordinator of the Management of Substance Abuse Unit; and Hans Hogerzeil, Director of Essential Medicines and Pharmaceutical Policies. The Board cooperates with WHO in monitoring developments in international drug control.

## INCB participates in Pompidou Group Ministerial Conference

On 3 November 2010, INCB President Hamid Ghodse participated in the 15th Ministerial Conference of the Pompidou Group of the Council of Europe, held in Strasbourg, France. The aim of the Pompidou Group is to improve cooperation in the fight against drug abuse and trafficking. Thirty-five States are members of the Group. The theme of the Ministerial Conference was "Towards a coherent policy on psychoactive substances". In his statement, Prof. Ghodse highlighted the need for a balanced approach to drug control that focused on preventing illicit drug use while promoting the licit and medically appropriate use of drugs. Prof. Ghodse spoke about the Board's view of the challenges in drug control presently faced by Europe and recommended action to be taken at the national, regional and international levels. On the occasion of the Ministerial Conference, Prof. Ghodse and INCB Secretary Jonathan Lucas met with the ministers of health of a number of European countries. The President's written statement is available on the INCB website ([www.incb.org](http://www.incb.org)).

## Meetings with Governments to foster compliance with the international drug control treaties

INCB maintains an ongoing dialogue with Governments in monitoring and promoting the implementation of the international drug control treaties. The Secretariat of INCB meets regularly with Government officials to provide advice or assistance in meeting their treaty obligations. Recently, the Secretariat received visits from officials of Mexico, Pakistan, the Sudan, the United Arab Emirates and the United States of America, as well as civil society organizations.

## Joint statement on drugs, health and human rights

In November 2010, UNODC and INCB released a joint statement on drugs, health and human rights, as part of the follow-up to the report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (A/65/255), which focused on the international drug control system.



In the joint statement, UNODC and INCB clarified how health and human rights issues are addressed within the international drug control system. The statement emphasized the need for a balanced approach to drug control, including both supply and demand measures, and highlighted the key role of law enforcement in enforcing the international drug control conventions.

UNODC and INCB reiterated that the international drug control system recognized the need for individuals to receive treatment for drug dependency. Under the international drug control conventions, the illicit manufacture of, trafficking in and the sale and possession of narcotic drugs were illegal and punishable with criminal sanctions. INCB had always insisted that such punishment must be in proportion to the crime and in conformity with the basic United Nations principles on human rights. The conventions allowed for alternative measures to imprisonment for illicit drug use, such as treatment and reintegration. Therefore, Member States had the option of considering alternatives to imprisonment for drug addiction but not of considering the legalization of the use of controlled drugs, as controlled drugs remained highly addictive and damaging to human health. After all, the aim of the international drug control conventions was to protect the world's population from the health and socio-economic consequences of drug abuse and drug trafficking.

The full text of the joint statement is available on the INCB website ([www.incb.org](http://www.incb.org)).

### The current members of INCB:

- **Hamid Ghodse** (Islamic Republic of Iran)
- **Galina Aleksandrovna Korchagina** (Russian Federation)
- **Carola Lander** (Germany)
- **Melvyn Levitsky** (United States)
- **Marc Moinard** (France)
- **Jorge Montaña** (Mexico)
- **Lochan Naidoo** (South Africa)
- **Rajat Ray** (India)
- **Viroj Sumyai** (Thailand)
- **Sri Suryawati** (Indonesia)
- **Camilo Uribe Granja** (Colombia)
- **Raymond Yans** (Belgium)
- **Xin Yu** (China)

## Availability of internationally controlled drugs: supplement to the INCB annual report for 2010

In its resolution 53/4, entitled "Promoting adequate availability of internationally controlled licit drugs for medical and scientific purposes while preventing their diversion and abuse", the Commission on Narcotic Drugs invited INCB to include in its annual report for 2010



information on the consumption of narcotic drugs and psychotropic substances used for medical and scientific purposes worldwide, including an analysis of impediments to their adequate availability and actions to be taken to overcome those impediments and, when available, specific information about the status of and progress made by countries.

Pursuant to that resolution, the Board carried out an analysis of global developments and regional patterns of consumption of opioid analgesics and of psychotropic substances. In recognition of the importance of the subject, the Board has decided to devote to this matter a supplement to its annual report for 2010. The supplement will be released together with the annual report in the first week of March 2011.

The report includes information on the supply of opiate raw materials and medicines containing internationally controlled substances. It also includes information on their availability at the global and regional levels and shows the large disparities between and within regions. An entire chapter of the supplement is devoted to major impediments to the availability of opioid analgesics. The chapter also contains information on action taken by two countries

to overcome some of the impediments. However, as availability above the levels required for sound medical practice can lead to abuse of and trafficking in internationally controlled substances, the supplement also contains information on such cases and their consequences.

Furthermore, the supplement presents information on action taken by INCB to ensure the availability of internationally controlled substances. It contains the INCB recommendations on: availability of narcotic drugs and psychotropic substances; appropriate use; national control systems; and prevention of diversion and abuse. The supplement concludes that if the recommendations were implemented there would be significant additional progress towards ensuring adequate availability of narcotic drugs and psychotropic substances for medical and scientific purposes.

## Reliable data on consumption of psychotropic substances needed to assess the adequacy of the availability of psychotropic substances

The Commission on Narcotic Drugs, in its resolution 53/4, invited INCB to continue to present to the Commission, inter alia, information on the consumption of psychotropic substances used for medical and scientific purposes worldwide, including, when available, specific information about the status of and progress made by countries in overcoming impediments to their adequate availability. However, Governments are not requested to submit such information to INCB. INCB will endeavour to provide such information to the Commission at its fifty-fourth session, in March 2011, to the extent that the data available to the Board support such scrutiny. As mentioned above, a detailed analysis of the calculated consumption of the most important psychotropic substances has been included in the supplement to

the INCB annual report for 2010 on the availability of internationally controlled substances. Because of the above-mentioned data limitations, those calculated consumption data do not allow INCB to present a comprehensive and accurate analysis of the adequacy of the availability of all psychotropic substances in all countries and regions or of progress made in this regard.

INCB welcomes the commitment of Governments to ensuring adequate availability of psychotropic substances worldwide, pursuant to Commission resolution 53/4. The Board notes with appreciation that other stakeholders, such as WHO,



are interested in promoting such availability. INCB therefore recommends that Governments consider voluntarily providing it with data on the consumption of psychotropic substances. Receipt of such data would enable INCB to provide a comprehensive analysis of consumption levels of psychotropic substances, comparable to the thorough analysis done for narcotic drugs, and to identify in a consistent manner the shortcomings in the adequate availability of psychotropic substances at the regional and country levels. Reliable data on consumption of psychotropic substances are also necessary for future assessments of the effectiveness of any measures taken to promote the adequate availability of psychotropic substances for medical and scientific purposes while preventing their diversion and abuse.

## Pre-Export Notification (PEN) Online: the cornerstone of international precursor control

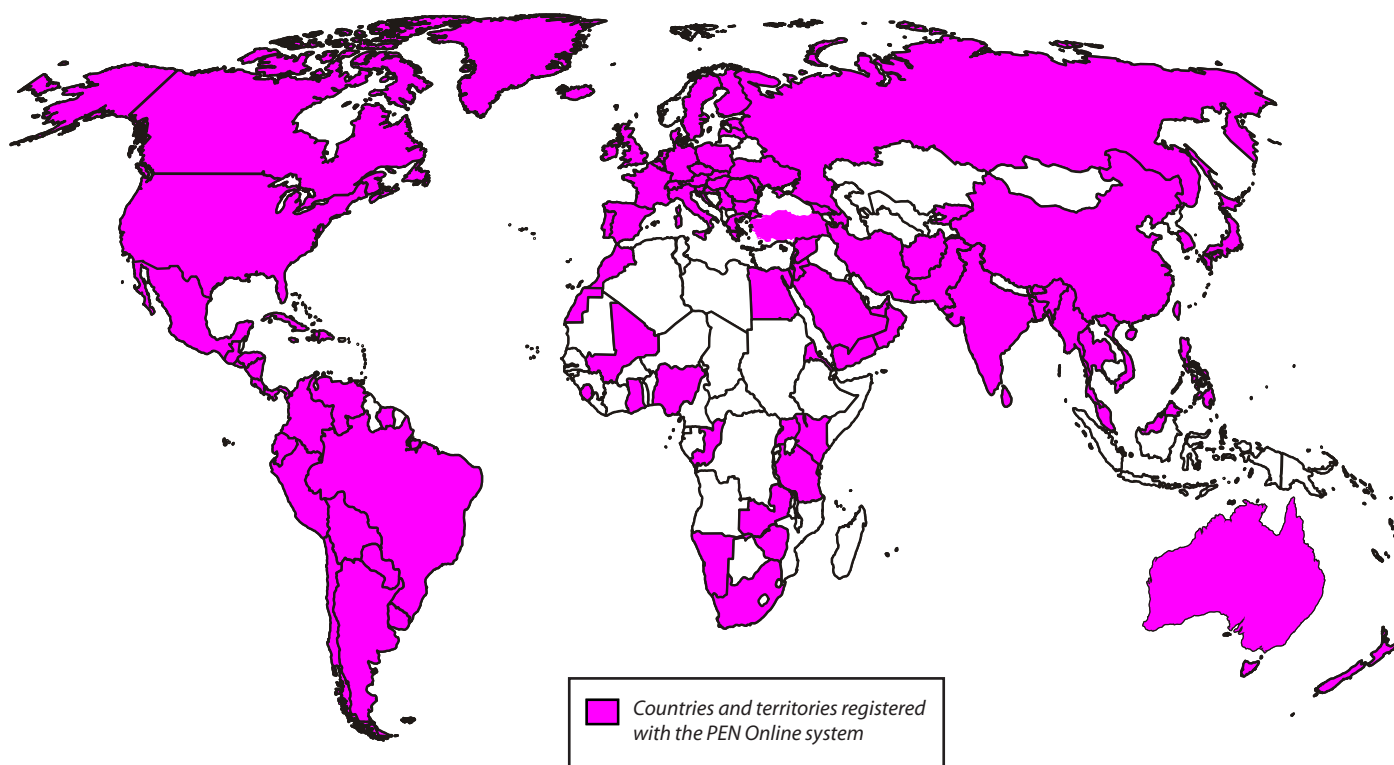
Pre-Export Notification Online (PEN Online), the INCB web-based system used by countries to exchange pre-export notifications of shipments of precursor chemicals, has grown rapidly since its official launch in 2006. It has become the most effective tool for monitoring international trade in controlled precursors and has contributed significantly to identifying suspicious shipments and therefore preventing diversions. Approximately 50,000 pre-export notifications have been sent through the system over the past four years. A record high of about 18,000 notifications were sent in 2010.

Without the support of its users, the operation of the PEN Online System would not be successful. Therefore, INCB encourages all Governments to make active use of the system by sending and responding to pre-export notifications. INCB urges Governments that have not yet registered with the PEN Online System, particularly in regions such as Africa, where the registration rate is low, to register with and use the System.

For further information and technical support, contact the INCB Secretariat at: [pen@incb.org](mailto:pen@incb.org).

### Facts about PEN Online:

- Launched in: 2006
- Number of user countries and territories: 117
- Average number of pre-export notifications sent per month: 1,600
- Top five user countries: China (including *Hong Kong SAR*), Germany, India, South Africa and the United States
- New members in 2010: Afghanistan, Bahamas, Micronesia (*Federated States of*), Paraguay, Saint Lucia and Sri Lanka



## Recent developments in international precursor control

### Transfer of phenylacetic acid from Table II to Table I of the 1988 Convention

Following a recommendation by INCB, the Commission on Narcotic Drugs, at its fifty-third session in March 2010, decided unanimously to transfer phenylacetic acid from Table II to Table I of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 (1988 Convention). That decision becomes effective on 17 January 2011.

## Mandatory provision of pre-export notifications by exporting countries: Governments invoking article 12, paragraph 10, of the 1988 Convention in 2010

Pursuant to article 12, paragraph 10, of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, in 2010 the countries listed below officially requested to receive pre-export notifications for substances listed in Table I and Table II of the 1988 Convention:

Country	Substance
Afghanistan	All substances listed in Table I and Table II of the 1988 Convention
Australia	All substances listed in Table I and Table II of the 1988 Convention
Azerbaijan	All substances in Table I and Table II of the 1988 Convention
El Salvador	All substances listed in Table I and Table II of the 1988 Convention
Ghana	All substances listed in Table I and Table II of the 1988 Convention
Thailand	All substances listed in Table I of the 1988 Convention (except potassium permanganate), and anthranilic acid and phenylacetic acid

As a result, as at 31 December 2010 a total of 79 Governments had requested the mandatory provision of pre-export notifications by exporting countries on shipments of precursors under international control. For detailed information, please see the information package on the control of precursors ([www.incb.org/incb/cna.html](http://www.incb.org/incb/cna.html)).

**The following countries have prohibited the import of ephedrine and/or pseudoephedrine (including pharmaceutical preparations containing the substances).**

Country	Substance	Year in which legislation was adopted <sup>a</sup>
Belize	Pseudoephedrine	2008
Colombia	Ephedrine Pseudoephedrine	2009
El Salvador	Ephedrine Pseudoephedrine	2009 - 2010
Guatemala	Pseudoephedrine	2009
Mexico	Ephedrine Pseudoephedrine	2008
Nicaragua	Ephedrine Pseudoephedrine	2008

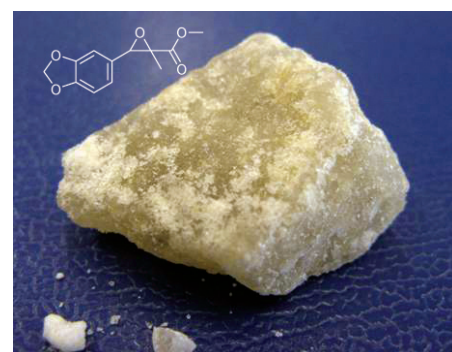
<sup>a</sup> Based on official information provided by Governments.

## Emerging challenge: use of non-scheduled substances in the illicit manufacture of narcotic drugs and psychotropic substances

Twenty years after the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 entered into force, the sourcing of non-scheduled substances as substitutes for controlled precursors poses a growing challenge to the international community. The Board has noted this

development over the past several years in its report on precursors.

The non-scheduled substitutes reported by Governments range from pharmaceutical preparations and natural products containing controlled precursors to chemical derivatives that can be



converted into controlled precursors. In some cases, the controlled precursors themselves have been illicitly manufactured. The problem of non-scheduled substances emerges in new or altered manufacturing methods and the illicit manufacture of "designer drugs", which require non-scheduled substances as starting materials. Non-scheduled substitutes have been used for all drug types, including amphetamine-type stimulants, cocaine and heroin.

With a view to assisting Governments in addressing the issue of non-scheduled

substances in a flexible manner that is sensitive to the requirements of legitimate trade, a limited international special surveillance list of non-scheduled substances has been established. A total of 45 substances are currently on the list, which is distributed annually to competent national authorities and is also available on the secure website of INCB ([www.incb.org/incb/cna.html](http://www.incb.org/incb/cna.html)). The information package also contains information on additional national regulations for substances not under international control.

INCB engages with Governments to

address the challenge of non-scheduled substances by acting, through its Secretariat, as a global focal point for the exchange of information in targeted, time-bound operations focusing on the identification, seizure and/or backtracking of suspicious shipments in international precursor trade. Past operations have focused on pharmaceutical preparations and natural products containing ephedrine and pseudoephedrine. Future operations are expected to focus also on non-scheduled substances used in the illicit manufacture of amphetamine-type stimulants and cocaine.

## INCB missions

### Armenia

An INCB mission visited Armenia from 4 to 6 October 2010. The mission was conducted by INCB member Rajat Ray, who was accompanied by Darmen Zhumadil of the INCB Secretariat. The previous mission to Armenia had taken place in 1997.

The objective of the mission was to review the implementation of the three international drug control conventions, to which Armenia is a party. Deliberations focused on legislative and administrative measures and policies aimed at strengthening control of narcotic drugs, psychotropic substances and the chemicals used in their illicit manufacture. The



reporting obligations under the international drug control treaties and the availability of opiates for medical needs were

discussed with the Ministry of Health.

The mission met the deputy ministers from the Ministry of Health and the Ministry of Justice, as well as senior officials of the Ministry of Foreign Affairs, the Police of Armenia and the Customs Service. The mission also visited the Psychiatric Medical Centre Narcotic Clinic of the Ministry of Health in Yerevan.

The findings of the mission were reviewed by the Board at its session in November 2010 and will be reflected in the INCB annual report for 2010, to be published in March 2011.

### Czech Republic

An INCB mission visited the Czech Republic from 15 to 18 November 2010. The previous mission of the Board to that country had taken place in 2003. The 2010 mission was conducted by INCB member Melvyn Levitsky, who was accompanied by Eva Fernandez Santis of the INCB Secretariat.

The Czech Republic is a party to all three international drug control conventions. The purpose of the mission was to review the Government's performance

in carrying out its obligations under those conventions.

The mission discussed with the Czech authorities the legislative and administrative measures and policies aimed at strengthening control of narcotic drugs, psychotropic substances and the chemicals used in their illicit manufacture. Among the specific issues tackled were: the abuse of cannabis, amphetamine-type stimulants and buprenorphine; laboratories manufacturing amphetamine-



type stimulants; the effectiveness of legislation on precursors; and the control of licit opium poppy cultivation. The mission also deliberated at length on the implications of recently adopted legislation on drug possession, abuse and trafficking.

The mission met with senior officials, including the deputy ministers from the Ministry of Health, the Ministry of Justice and the Ministry of Foreign Affairs, and visited a treatment facility for drug abusers.

The findings of the mission will be reviewed by the Board at its session in February 2011 and will be reflected in the INCB annual report for 2011, to be published early in 2012.

## India

An INCB mission visited India from 13 to 17 December 2010. The mission was conducted by Sri Suryawati, Second Vice-President of INCB and Chair of the Standing Committee on Estimates, who was accompanied by Pavel Pachta, Deputy Secretary of the Board. The previous mission to India had taken place in 2003.

The purpose of the mission was to review the drug control situation in India and to discuss with the Government the experience gained from the implementation of the international drug control treaties, to which India is a party. Deliberations focused on the control of licit production of opiate raw materials in India, measures to ensure the availability of opioid analgesics for the treatment of moderate to severe pain, control of psychotropic substances, including the submission of statistical reports to INCB, emerging trends in the traffic in and abuse of narcotic drugs and

psychotropic substances and the control of precursor chemicals.

The mission included meetings with the Revenue Secretary, from the Ministry of Finance, the Home Secretary, from the Ministry of Home Affairs, the Secretary of the Ministry of Social Justice and Empowerment, the Additional Secretary of the Ministry of Health and Family Welfare, the Joint Secretary of the Ministry of External Affairs, the Director General of the Narcotics Control Bureau, the Narcotics Commissioner of India, the Drugs Controller of India and the Chief Controller of Factories, as well as with other senior Government officials. The mission also included meetings with the UNODC representative for South Asia, the WHO representative for India and representatives of several non-governmental organizations active in the area of palliative care and in the treatment and rehabilitation of drug addicts. In addition to



meetings in Delhi, the mission visited the Headquarters of the Central Bureau of Narcotics in Gwalior and the Government Opium and Alkaloid Works in Neemuch.

The findings of the mission will be reviewed by the Board at its session in February 2011 and will be reflected in the INCB annual report for 2011, to be published early in 2012.

## Myanmar

An INCB mission visited Myanmar from 6 to 8 December 2010. The mission was conducted by INCB member Lochan Naidoo, who was accompanied by Li-Qin Zhu, Chief of the Convention Evaluation Section of the INCB Secretariat. The previous mission to Myanmar had taken place in 2006.

The objective of the 2010 mission was to review the drug control situation in Myanmar and the Government's compliance with the three international drug control conventions, to which Myanmar is a party. Deliberations focused on the legislative and administrative measures and policies aimed at addressing the increasing illicit opium poppy cultivation in the country, the emerging challenges with regard to the illicit manufacture of and trafficking



in amphetamine-type stimulants and issues related to availability of controlled substances for medical purposes.

The mission included meetings with the Deputy Minister of Home Affairs, the Deputy Minister for Progress of Border Areas and National Races and Development Affairs, the Deputy Attorney General and the Joint Secretary of the Central Committee for Drug Abuse Control as well as senior Government officials from the ministries of foreign affairs, home affairs, health, education, progress of border areas and national races and development affairs and



customs. The mission visited the Drug Treatment and Research Unit of the Mental Health Hospital in Yangon, the No. 1 Basic Education High School in Nay Pyi Taw and the Myanmar Pharmaceutical Factory in Yangon. The mission also

included meetings with representatives of the UNODC Country Office in Myanmar, the Mini Dublin Group and a non-governmental organization involved in programmes for drug abusers and people infected with HIV/AIDS.

The findings of the mission will be reviewed by the Board at its session in February 2011 and will be reflected in the INCB annual report for 2011, to be published early in 2012.

## INCB Secretariat

On 31 January 2011, Golnoush Hakimpour, a staff member of the Secretariat of the International Narcotics Control Board, retired after serving 21 years for the Secretariat. Ms. Hakimpour served in various technical areas of the Secretariat, including Narcotics Control and Estimates Section and Psychotropics Control Section. The Board and its Secretariat thanked Ms. Hakimpour for her service and wished her all the best for the future.



*From right to left: INCB President Professor Hamid Ghodse, Retiring staff member Ms. Golnoush Hakimpour and INCB Deputy Secretary Mr. Pavel Pachta*

## Call for contributions

Readers are invited to submit comments and contributions:

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**Facsimile:** (+43-1) 26060 76948

Mail can be sent to the following address:

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The Focus Team reserves the right to edit and select articles depending on their relevance and the availability of space.

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## About Focus on international drug control

Focus on international drug control is a quarterly publication, initiated by the International Narcotics Control Board (INCB), that provides

insight into the activities and positions of the Board and information on other issues relevant to the Board's mandate. Focus also functions as a

forum in which interested parties may share their opinions. Focus on international drug control is prepared by the Vienna-based INCB Secretariat.