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**REPORT OF THE 2<sup>ND</sup> AFRICAN UNION MINISTERIAL  
CONFERENCE ON DRUG CONTROL IN AFRICA**

**REPORT OF THE 2<sup>ND</sup> AFRICAN UNION MINISTERIAL CONFERENCE ON  
DRUG CONTROL IN AFRICA**

1. In implementation of the Lusaka Summit Decision of July 2001, the former OAU organized the 1<sup>ST</sup> African Ministerial Conference on Drug Control in Africa, held in Yamassoukro, Cote D' Ivoire in 2002. As follow-up to the 1<sup>st</sup> Conference, the 2<sup>nd</sup> Ministerial Conference was hosted by the Government of the Republic of Mauritius from 14-17 December 2004 in Grand Bay, Mauritius. The abuse of and trafficking in drugs had reach a new dimension that is hindering sustainable social and economic development and political stability on the continent and therefore, the main theme of the Conference was "mainstreaming drug control into socio-economic development".
2. Delegations were drawn from 28 AU member States, the UN Agencies and other International Organizations, Bilateral and Multilateral Agencies, NGOs and Civil Society Organizations.
3. The Conference, organized with the assistance of the United Nations Office on Drugs and Crime, address the multifaceted nature of the drug abuse and trafficking in thematic discussions. The deliberations during the Conference were characterized by open, frank and transparent exchange of views among the numerous stakeholders.
4. Due to absence of a quorum, the Conference reviewed and recommended, for adoption by the AU Executive Council, the Draft African Common Position on Crime Prevention and Criminal Justice, that would serve as Africa's contribution to the 11<sup>th</sup> UN Congress on Crime Prevention and Criminal Justice, scheduled for April 2005 in Bangkok, Thailand.
5. In reviewing the implementation of the revised 2002 AU Plan of Action on Drug Control, the Conference, recommended amongst many issues, that the AU Commission commissions a study on the magnitude and extent of the abuse of cannabis on the continent. Cannabis Sativa (marijuana) is the most widely cultivated and abused drug in Africa. Thus far, only a limited study has been conducted on extent of the abuse of cannabis in Morocco. The Conference also recommended the emphasis of the crime prevention dimension of drug control activities and urged the Commission to incorporate this aspect in future Ministerial Conference. The Conference also expressed support to the AU Commission and the UNODC to convene the Roundtable on Drugs and Development scheduled during May 2005 in Addis Ababa.
6. The following reports are presented to this Session of Council for endorsement and adoption in order for them to be available for use by

stakeholders for implementation, negotiation and Africa's input into the 2005 Bangkok's process:

- Report and Recommendation of the Ministerial Conference (Annex I)
- African Common Position on Crime Prevention and Criminal Justice (Annex II)
- Report of the Experts Meeting (Annex III)

6. In this regard, Council is invited to consider and adopt all the reports with the recommendations and follow-up actions contained therein.

## **DRAFT REPORT OF THE MINISTERIAL MEETING**

### **I. INTRODUCTION**

The Second AU Ministerial Conference on Drug Control, was held at Le Meridien Hotel, Pointe aux Piments, Mauritius, on 16 and 17 December 2004.

### **II. ATTENDANCE**

**2.** The Ministerial Meeting was attended by Delegations from the following AU Member States: Algeria, Botswana, Burkina Faso, Cameroon, Cape Verde, Comoros, Cote d'Ivoire, Djibouti, Egypt, Gambia, Ghana, Guinea, Libya, Madagascar, Mauritius, Mozambique, Namibia, Nigeria, Rwanda, Sahrawi Arab Democratic Republic (SADR), Senegal, Seychelles, South Africa, Sudan, Tanzania, Uganda, Zambia and Zimbabwe.

**3.** Other participants included Representatives of the following Diplomatic Missions, United Nations Agencies, other International Organisations, Bilateral and Multilateral Agencies, Inter-Governmental, Governmental and Civil Society Organisations: United Nations Office for Drugs and Crime (UNODC), NEPAD, United Nations African Institute for Crime Prevention and Treatment of Offenders (UNAFRI), International Organisation for Migration (IOM), ICPO-INTERPOL, ICRC, World Health Organisation (WHO), League of Arab States, African Group – Vienna, UNFPA and SADC Secretariat.

#### **Item 1: Opening Ceremony**

**4.** The opening ceremony was presided over **by Hon. B. Mabaso, Head of the South African delegation** and Rapporteur of the First Ministerial Meeting. In his opening remarks, the Chairperson highlighted the fact that the challenge facing the 2<sup>nd</sup> Ministerial Conference, was more demanding in view of the fact that new trends in drug abuse have emerged, such as the injection drug use which has now become a dominant factor in the spread of HIV/AIDS thus posing a serious threat to development.

**5.** After a brief welcome and introductory remarks, the Chairperson announced the Programme of the Opening Ceremony, which was graced by the presence of H.E. Sir Anerood Jugnauth, President of the Republic of Mauritius. The Opening Ceremony was also addressed by the Minister of Social Security, National Solidarity, the Representative of the UN Office on Drugs and Crime, the AU Commissioner for Social Affairs, and H.E. the President, who delivered the keynote address.

**b) Statement By Representative of UNODC**

6. In his statement, Dr Chris van der Burgh, representing the Executive Director of the UN Office on Drugs and Crime stated that since 1996, the UNODC has actively assisted the then Organisation of African Unity (OAU) and now the African Union (AU) to build the latter's capacity in coordinating and monitoring the drug problems on the continent. As part of the cooperation, the UNODC also assisted the AU in developing the Declaration and Plan of Action on Drug Control in Africa. He stated that the links between drug trafficking and organised crime was real and that the proceeds from the drug trade were being used to purchase arms in many conflicts on the continent. In conclusion, he reiterated the readiness of the UNODC to continue to work actively with AU Member States and the AU Commission in fighting drugs and crime.

**c) Statement by AU Commissioner for Social Affairs**

7. Adv. Bience P. Gawanas, the AU Commissioner for Social Affairs conveyed to participants the warm greetings of the Chairperson of the AU Commission, Prof. Alpha Oumar Konaré. She expressed her profound gratitude to the President of the Republic of Mauritius for gracing the Second Ministerial Conference on Drug Control in Africa. She also expressed her heartfelt appreciation to the Executive Director of the UNODC for the invaluable support and cooperation the UNODC has extended to the African Union for almost a decade, particularly in the area of capacity-building to combat and prevent drugs in Africa.

8. She reiterated the gravity of the problems posed by drugs to African countries, particularly its widespread and continental dimension and highlighted the unique and crucial role of the African Union in harmonization, coordinating, monitoring and integration African policies on drug control and crime prevention on the continent. In this context, she further explained that the AU was coordinating and monitoring the activities of the 53 Member States, and spearhead the continent-wide efforts to decisively act against the increasing trends in drug trafficking and abuse and related crimes such as money laundering and corruption.

9. In recognition of the cross-cutting effects of drugs and the fact that valuable human and financial resources continued to be diverted from productive activities, essential for development in Africa, Adv. Gawanas highlighted the theme of the Second Ministerial Conference,

“Mainstreaming Drug Control into Socio-Economic Development in Africa” as an important and innovative effort of the AU to address the issue from a comprehensive approach.

**10.** The Commissioner recalled that during the two-day meeting the Experts had an interactive discussion on various aspects of the theme including drugs and agriculture, education, conflicts, terrorism, migration and health and had observed that drug trafficking and related crimes were impacting negatively on sustainable social, economic and political development in Africa. The Commissioner stressed that the greatest challenge for the continent was how to reduce the mass cultivation of cannabis.

**11.** In conclusion, the Commissioner, invited the Ministers to, among other things, consider the Draft African Common Position on Crime Prevention and Criminal Justice, which constituted part of the deliberations of the Experts. She added that the Second Ministerial Conference offered a unique opportunity for Africa to make important strides in its efforts to control use and trafficking of illicit drugs and prevent crime, particularly their negative impacts on development.

**e) Statement by the President of the Republic of Mauritius**

**12.** In his statement, H.E. Sir Aneerood Jugnauth, President of the Republic of Mauritius, welcomed Ministers to the Republic of Mauritius. He stressed the need for effective measures to be taken in controlling drugs, as drugs destroy the quality of life of the African people, corrupt institutions, threaten political stability and in some cases, endanger state security.

**13.** The President underscored the fact that multi-faceted social policies were needed to provide special attention to the issue of mainstreaming the drug control dimension into overall development programmes. To this end, he encouraged Governments to support the participation of non-governmental and community-based organisations in demand reduction and treatment activities. The President informed the Ministers of measures being taken by the Government of Mauritius in fighting the drug and crime scourge. In this regard, he stated that Mauritius have signed and ratified all the regional, continental, and international instruments relating to drug control.

**14.** In conclusion, the President expressed hope that the 2<sup>nd</sup> Ministerial Conference would provide an opportunity for Member States to share information and good practices, as African countries were facing the common scourge of drugs that transcend borders.

**f) Reply Statement By The Representative Of Seychelles**

**15.** Pursuant to the Presidential statement, H. E. Mr. Vincent Meriton, Minister of Employment and Social Affairs of the Republic of Seychelles, gave a reply statement on behalf of his colleagues. He thanked the President of Mauritius for gracing the occasion by his presence and thank the Government for the hospitality accorded to all the delegations. He called on the 2<sup>nd</sup> Ministerial Conference to make the Common Position on Crime Prevention and Criminal Justice a living reality. He stated that people of Africa should come forward with concrete measures to fight criminal activities. In conclusion, he reiterated the gratitude of all the delegations for the excellent organisation of the Conference.

**Item 2: Procedural Matters**

**a) Election of the Bureau**

**16.** The following Bureau was elected:

Chairperson:	Mauritius
1 <sup>st</sup> Vice-Chairperson:	Zimbabwe
2 <sup>nd</sup> Vice-Chairperson:	Burkina Faso
3 <sup>rd</sup> Vice-Chairperson:	Cameroon
Rapporteur:	Algeria

**b) Adoption of the Agenda**

**17.** The Agenda was adopted without amendment.

**Item 3: Presentation on the Vision, Mission and Strategic Framework of the African Union Commission**

**18.** The AU Commissioner for Social Affairs briefed the meeting on the African Union Vision, Mission and Strategic Framework. She stated that the new vision of the African Union is to build an Africa which is prosperous, peaceful and integrated, driven by its own people and putting people at the center of development. In this regard, the African Union would provide the leadership role in harmonizing the various

socio-economic programmes. To achieve, this objective, the African Union Commission would also enhance its own capacity and those of its organs and work with the Regional Economic Communities (RECS), the inter-government and Civil Society organizations.

**19.** The Commissioner added that, with a view to increasing its capacity, the AU Commission was in the process of filling the existing vacant posts. It had also undertaken the exercise of prioritizing its programmes for the year 2005 and adopting the required budget for their implementation. She assured the meeting that the AU Commission would do everything in its capacity to live up to the expectation of the continent.

**20.** In the debate that followed, it was proposed that drug and crime issues should be mainstreamed within the structure of the AU Commission and put high on its Agenda.

**Item 4: Consideration and Adoption of:**

**a) Report of the Experts Meeting**

**21.** The Report was considered and after minor amendments the document was recommended for approval.

**b) African Common Position on Crime Prevention and Criminal Justice**

**22.** The African Common Position on Crime Prevention and Criminal Justice was considered paragraph by paragraph and after some amendments, it was recommended for adoption.

**c) Recommendation on the African Common Position**

**23.** The draft recommendation on the African Common Position on Crime Prevention and Criminal Justice was presented to the meeting for its consideration. It was explained that since the meeting did not have a quorum, it could not approve its report and the African Common Position. In this regard, therefore, it was necessary to propose a recommendation to enable the AU Executive Council and Assembly adopt the Common Position for submission to the 11<sup>th</sup> UN Congress on Crime Prevention and Criminal Justice scheduled to take place in Bangkok, Thailand in April 2005.



**24.** The meeting agreed with the recommendation as proposed with some amendments.

**Item 5: Presentation of the outcome of the Resolutions of the CND and General Assembly by the Representative of the African Group in Vienna**

**25.** In his presentation, the representative of the African Group in Vienna provided an overview of the group's activities within the Commission on Narcotics Drugs (CND) and the UN Commission on Crime and Criminal Justice.

**26.** He stated that a total number of 14 resolutions were adopted by the CND and from these, 6 were recommended to the ECOSOC and 3 to the UN General Assembly. The resolutions recommended to the General Assembly were: the Resolution on HIV/AIDS and Drug Abuse, the Resolution on Control of Substances, and the Resolution on Control of Cultivation and Trafficking in Cannabis.

**27.** In terms of African countries emerging from conflicts, the Representative stressed the importance of devising specific strategies to assist those countries in solving their drug problems. He added that since decriminalisation of Cannabis abuse and trafficking in crimes posed serious threats to development efforts, it was necessary to carry out a survey to determine the extent of the cannabis problem on the continent. He asserted that Cannabis remained the most abused drug on the continent although there was no data to evaluate the magnitude of the problem.

**28.** The following recommendations were made:

- i. AU Commission should carry out a survey to determine the extent and magnitude of the cannabis problem on the continent. This study should also elaborate on alternative development;
- ii. Member States should actively enlist support of the international community to provide more funding to the UN Office on Drugs and Crime to carry out programmes in Africa;
- iii. Member States should pay contributions to the UNODC General Purpose Fund, as this would give them additional weight at the Commission on Narcotics Drugs;

- iv. The UNODC should sponsor the Least Developed Countries' (LDCs) to enable them participate in sessions of the Commission on Narcotic Drugs and other relevant Commissions;
- v. The African Group in Vienna should be encouraged to continue playing an active role in articulating Africa's concern at the drug related forums.

**Item 6: Brief on the Proposed Roundtable Conference on Drugs and Crime in Africa**

**3.** The representative of UNODC informed the meeting that the objective of the "Roundtable on Drugs and Crime in Africa" was to strengthen partnerships to reduce and eliminate drugs and crime that constitute major obstacles to development. The Roundtable would bring together AU Member States, regional and international partners to assess the problems of drugs as impediments to development. The Roundtable would also assess national and regional drug policies, identify challenges and elaborate potential future commitments. In this regard, the Presenter informed the meeting that the UNODC would circulate by electronic means, the report on "Drugs and Crime as impediments to Development". He added that the deliberations of the Roundtable would enable the co-organisers, the AU Commission and the UNODC, to come up with a roadmap on necessary future activities.

**4.** During the debate, delegations underscored the importance of convening the Roundtable, particularly, in view of the restructuring process taking place within the AU Commission. It was also noted that while there were a number of commitments embodied in existing Decisions, Declarations and Plans of Action, little had been done to implement them. Various delegations emphasized the need to mobilise resources through measures such as debt relief or debt cancellation. To this end, it was necessary to review why drug control programmes were unable to mobilise resources, so as to enable future funding campaigns to draw on these lessons. It was highlighted that the persistent lack of feedback and reporting data on implementation of donor funded projects also led some donors to discontinue funding. Some delegations also stressed the importance of welcoming civil society actors to play their rightful and meaningful role in the fight against drugs and crime.

**5.** The following recommendations were made:

- i. the UNODC should mobilise the international community to increase debt relief or debt cancellation, with a view to channelling such funds to the fight against drugs and related crimes;

- ii. Member States should support the AU Commission and the UNODC in preparing and convening the Roundtable at an appropriate time.

**Item 7: Date and Venue and Theme of the 3<sup>rd</sup> Ministerial Conference on Drug Control in Africa**

**3.** The meeting unanimously accepted the offer of the Libyan Arab Jamahariya to host the 3<sup>rd</sup> Ministerial Conference on Drug Control in Africa in 2006. The date would be agreed upon between the AU Commission and the Libyan Government.

**4.** With regard to the theme of the meeting, it was agreed that the theme would be decided upon after consultations among Member States.

**Item 8: Any Other Business**

**5.** No issue was raised under this item.

**Item 9: Closing**

**6.** In his closing statement, the Chairperson thanked the Ministers, the Experts, the UN Agencies, and the NGOs, for their participation in the meeting which contributed to its success. He also thanked the staff of the African Union, the staff of his Ministry as well as the Interpreters and all other technical staff. He reiterated his gratitude to the participants for the confidence entrusted in him and called on the support of everyone to enable him carry out his mandate successfully. Finally, he wished participants a safe journey back home.

**7.** The AU Commissioner undertook the commitment to put drug control and crime prevention high on the Agenda of the African Union. She thanked the Government and People of Mauritius for the excellent arrangements and hospitality. She also thanked the partners for their participation in the meeting.

**8.** The UNODC Representative also thanked the Government of Mauritius for the conducive arrangements made to ensure the success of the meeting. He assured participants that the UNODC would continue to assist Africa in its fight against drugs and related crime.

**9.** Finally, the Minister of Interior of Rwanda read a vote of thanks on behalf of all participants.

**DC/MIN/Dft.Recomm.II**

**RECOMMENDATION ON THE AFRICAN COMMON POSITION ON  
CRIME PREVENTION AND CRIMINAL JUSTICE**

**RECOMMENDATION ON THE AFRICAN COMMON POSITION ON CRIME  
PREVENTION AND CRIMINAL JUSTICE**

The 2<sup>nd</sup> African Union Ministerial Conference on Drug Control in Africa held in Mauritius from 16 -17 December 2004,

- 1. RECOGNISES** the need for Africa to adopt a common position at the forthcoming 11<sup>th</sup> UN Congress on Crime Prevention and Criminal Justice in Bangkok, Thailand in April 2005;
- 2. TAKES NOTE** of the document on the African Common Position on Crime Prevention and Criminal Justice prepared by the Experts;
- 3. RECOMMENDS** that the said document be finalized by the African Union Commission and submitted to the 6<sup>th</sup> Ordinary Session of the Executive Council scheduled to be held in Abuja, Nigeria in January 2005 for its consideration and adoption and further endorsement by the 4<sup>th</sup> Ordinary Session of the Assembly of the African Union in January 2005;
- 4. FURTHER RECOMMENDS** that the final document serve as Africa's Common Position at the 11<sup>th</sup> UN Congress on Crime Prevention and Criminal Justice in Bangkok, Thailand in April 2005.
- 5. REQUEST** the African Union Commission to report on the outcome of the 2005 Bangkok process.

**DRAFT**

**AFRICAN COMMON POSITION ON CRIME PREVENTION AND  
CRIMINAL JUSTICE**

**(AFRICA'S CONTRIBUTION TO THE ELEVENTH UNITED  
NATIONS CONGRESS ON CRIME PREVENTION  
AND CRIMINAL JUSTICE)**

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**2<sup>nd</sup> AU MINISTERIAL CONFERENCE  
ON DRUG CONTROL IN AFRICA  
MEETING OF EXPERTS  
14– 16 DECEMBER 2004  
MAURITIUS**

**DC/EXP/3 (II) Rev.2**

**DRAFT**

**AFRICAN COMMON POSITION ON CRIME PREVENTION AND  
CRIMINAL JUSTICE**

**(AFRICA'S CONTRIBUTION TO THE ELEVENTH UNITED  
NATIONS CONGRESS ON CRIME PREVENTION  
AND CRIMINAL JUSTICE)**

**AFRICAN COMMON POSITION ON CRIME PREVENTION  
AND CRIMINAL JUSTICE.**

**I. INTRODUCTION**

Crime has been identified as one of the major obstacles to development. Imbalanced or inadequately planned development contributes to criminality and thereby constitutes a threat to good quality of life, security of life and property, democracy, good governance, the rule of law and the free exercise of human rights. The United Nations General Assembly has decided that the Substantive agenda items and the Workshop themes for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice be focused upon by the Heads of State or Government or Government Ministers at the High-level Segment to be held during the last three days of the Congress, at which a Single Declaration containing recommendations derived from the deliberations at that Segment, the Round Tables and the Workshops should be adopted and submitted to the United Nations Commission on Crime Prevention and Criminal Justice.

The African Regional Preparatory Meeting for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, held in Addis Ababa, 1-3 March 2004, considered the Substantive agenda items and the Workshop themes. It was recommended that, bearing in mind that effective crime prevention strategies depended on the establishment and promotion of crime prevention and criminal justice projects, through various means, including by raising public awareness, both States and regional bodies should engage in efforts designed to improve public awareness about the dangers of organized crime, including trafficking in persons and firearms, smuggling of migrants, terrorism, drug trafficking, theft of cultural property, economic and financial crimes, money-laundering, computer-related crime, as well as the disruptive effect of retributive justice, in contrast to restorative justice, which emphasizes restoration of social cohesion through mediation and reconciliation of the parties. The meeting also recommended the adoption of the Charter of Fundamental Rights of Prisoners. It also exhorted Member States, who have not done so, to accede to the various Conventions and Protocols, both international and regional.

The African Regional Preparatory Meeting and the Auxiliary Seminar on the Implementation of the United Nations Convention on Transnational Organized Crime (the Organized Crime Convention) and its three Protocols on Trafficking in Persons, Smuggling of Migrants and Trafficking in Firearms, also held in Addis Ababa, 4-5 March 2004, decided that Africa should prepare a Common Position on each of the Substantive items and Workshop themes. It requested “the African Union to identify and coordinate



issues pertinent to Africa and lead with an African Common Position on Crime Prevention and Criminal Justice, and present them to the Eleventh Congress on Crime Prevention and Criminal Justice, holding in Bangkok, Thailand, in April 2005.”

After the adoption of the Common Position by the Second African Union Ministerial Conference on Drug Control in Africa, it would be submitted for the consideration, respectively, of the Sixth Ordinary Session of the Executive Council and the Fourth Ordinary Session of the Assembly, to be held in January 2005. The Common Position would thereafter be utilized by African delegates as guidelines for their contributions to the deliberations and decisions at the Eleventh United Nations Congress, bearing in mind African realities and interests in the field of crime prevention and criminal justice.

## II. PREAMBLE

**We**, the Ministers responsible for Drug Control and Crime Prevention in Africa, meeting at the Second African Union Ministerial Conference on Drug Control in Mauritius, 14-17 December 2004:

1. **Deeply** concerned that crime and armed conflicts generally constitute major obstacles to development, good quality of life, security of life and property, as well as democracy, proper management of public affairs, the rule of law and full enjoyment of human rights;
2. **Aware** that poverty is one of the core causes of crime, and that it is widespread in Africa with consequential impact on development and the empowerment of groups, families and individuals in the countries of the Member States of the African Union;
3. **Recognizing** that transnational organized crime, including drug trafficking, human and firearms trafficking, and smuggling of migrants, terrorism, corruption, economic and financial crimes, including money-laundering, and cyber crime, severely hamper sustainable socio-economic developments, perpetuate inequity, lowers productivity, reduces efficiency and effectiveness, and undermines the integrity of the social, economic, cultural and political order;
4. **Concerned** about the negative effects of corruption and punitive effects on the political, economic, social and cultural stability of African States, its undermining of accountability and transparency in the management of public affairs and its devastating effects on the economic and social development of the African peoples;

5. **Inspired** by the various African Union and United Nations Conventions and Protocols (listed in Annex A) and Codes of Conduct, Declarations, Decisions, Recommendations, Plans of Action, Programmes of Action, Standard Minimum Rules, Principles, Guidelines, Safeguards, Procedures, Model Agreements and Regimes (listed in Annex B) in the field of crime prevention and criminal justice, have deliberated extensively on the issues and problems concerning crime prevention and criminal justice, in order to overcome the negative impact and deleterious effect of crime in our various communities;
6. **Taking Note** of the General Assembly resolution 56/119 of 19 December 2001, which, in its paragraph 2(h) and (i), enjoined each of the United Nations Congresses on Crime Prevention and Criminal Justice to adopt a Single Declaration containing recommendations derived from the deliberations of the High-level Segment, the Round Tables and the Workshops, to be submitted to the Commission on Crime Prevention and Criminal Justice, acting as the preparatory body of the Congresses, for its consideration;
7. **Welcoming** the Contribution of the African Regional Preparatory Meeting for the Eleventh Congress on Crime Prevention and Criminal Justice, held in Addis Ababa, 1-3 March 2004, and its request that the African Union identify and coordinate issues pertinent to Africa;
8. **Underscoring** the importance of enhancing the capacity of Member States in the field of crime prevention and criminal justice, and of strengthening international cooperation;
9. **Desirous** of adopting an African Common Position on Crime Prevention and Criminal Justice;

**We therefore commit ourselves individually and collectively to take the following steps:**

## **I. PRIORITY POLICY OPTIONS**

### **A. NATIONAL SOCIO-ECONOMIC DEVELOPMENT**

10. **Plan and design** national crime prevention and criminal justice policies within the overall socio-economic policy and legislative context.
11. **Call upon** Member States to take preventive, protective and rehabilitative measures, through enforcement of compulsory education and provision of vocational training for the youth, monitor and bring abuses to light, carry out situation analysis at various levels, and raise awareness through public education activities and the mass media, including the incorporation of the appropriate educational modules into the school curricula at the primary, secondary and tertiary levels, and build coalitions with the civil society;
12. **Pursue policies** of economic growth to create employment, alleviate poverty and ensure better and equitable income distribution, in order to ensure access by the most vulnerable groups, particularly women and children, to productive assets, including land, credit, technology and information. The resultant programme can be prosecuted in a partnership between government, the private sector, the citizens and the international community, particularly targeting accelerated growth of agriculture and food production, and also complementing these with health services and transportation systems at affordable rates. Particular attention should be paid to strengthening family economic empowerment programmes and social safety nets for the most disadvantaged families and vulnerable groups, including women, children and youth, prone to crime commission and recruitment into criminal syndicates;
13. **Ensure** effective capacity-building for the national law enforcement, prosecutorial, judicial and custodial components of the criminal justice systems, to play a key role in the formulation of national policies on crime prevention and criminal justice, on the one hand, and poverty alleviation, on the other;
14. **Ensure** that custodial authorities adopt necessary measures to prevent HIV/AIDS, blood-borne, and other communicable diseases, and that inmates affected by these diseases are given appropriate treatment;
15. **Address and prevent** abusive treatment and corruption on the part of public services and mobilise the vulnerable and disadvantaged groups in the fight against abusive treatment and corruption;
16. **Call upon** the World Bank, International Monetary Fund (IMF), United Nations Development Programme (UNDP), United Nations

Commissions on Narcotic Drugs (UNCND) and Crime Prevention and Criminal Justice and (UNCCPCJ) and United Nations Office on Drugs and Crime (UNODC) to look into the question of international resources and the social impact of Structural Adjustment Programmes (SAP) on the citizens of Member States, with a view of ameliorating the adverse impact of these programmes on the poor, with its resultant crime-producing tendency;

## **B. BROAD SOCIAL PROGRAMMES TO PREVENT AND COMBAT DRUG AND CRIME**

17. **Collect**, collate, analyse and disseminate information about the hazards and consequences of drugs, crime and criminality on citizens, their families and societies, including the severe cost of drug abuse and crime on sustainable development;
18. **Advocate** for the protection of women, children and youths in particular, and the combating and elimination of trafficking in persons and the recruitment of children and youths into criminal syndicates, by giving the family a more important role in combating crime and drugs, with due regard to creed, religious and cultural values;
19. **Ensure** access by women, children and youths to information about their rights, and warnings about the modus operandi of human traffickers, including traffickers in human organs, and recruitment syndicates into crime, prostitution and pornography;
20. **Adopt** effective measures to prevent child labour, in conformity with the relevant international and national labour laws;
21. **Involve** relevant government units, citizens, societal organizations, NGOs, professional associations and trade unions to participate fully in the process of developing national policies and programmes to combat drug, crime and criminality;
22. **Promote** representative government, proper management of public affairs and public property, transparency and accountability to the public interest, and supportive of national and local/grassroots social and economic development with a clear rejection of the phenomenon of impunity;
23. **Support** micro-credit, marketing and investment schemes to assist the poor and the disadvantaged including victims of human trafficking and organised crime, in the areas of agriculture, food production and other small scale enterprises, which will be designed to assist them in

becoming respectable self-employed individuals, who will contribute to national development;

24. **Develop** programmes aimed at addressing the needs of communities emerging from conflicts, with a view to alleviating the consequential scourge of crime and drugs;
25. **Support** efforts to draft and finalize as appropriate:
  - a) the United Nations Convention against Theft of and Trafficking in Cultural Property,
  - b) the United Nations Convention against Cyber Crime,
  - c) the United Nations Code of Conduct against Terrorism, and
  - d) Draft Comprehensive Convention Against Terrorism in all its ramifications.
19. **Address** the root causes of terrorism, including the factors which motivate individuals and groups to commit terrorist acts. Such knowledge should be used to generate public awareness about the problems, root causes and effect of terrorism on the society and the process of development, as well as enhance the capacity of law enforcement, criminal justice, social services and other relevant officials to develop appropriate strategies for eliminating the root causes of terrorism and its motivation, and for eliminating terrorism itself from the society;
20. **Call upon** Member States to mobilize their national resources, including governmental, other institutional, private sector, civil society and citizens to enhance the capacities of Member States in the field of crime prevention, law enforcement, prosecutorial, judicial and custodial functions, through training, reform and reorganization, information/intelligence gathering, research, collation and analysis, and dissemination of information in crime prevention and criminal justice;
21. **Promote** respect for human and peoples' rights, in accordance with the provisions of the African Charter on Human and Peoples' Rights, and other relevant regional, continental as well as international instruments, including international humanitarian law. and to promote the provision of legal aid to citizens, to enable them effectively enforce their rights in criminal justice administration;
22. **Ensure** Declaration of Assets by elected and/or appointed public officials, through the adoption of Codes of Conduct, and allow the general public to have access to such Assets Declarations;

23. **Adopt** necessary measures to promote integrity, transparency and accountability in the Public and Private Sectors.
24. **Promote** institutional collaboration among agencies fighting against organized crime, drug, terrorism, corruption and fraud at the national, bilateral, regional, continental and international levels, in order, inter alia, to enhance information exchange and share best practices;
25. **Call upon** Member States to incorporate treatment sentencing within their criminal justice systems, with due regard to their national legislations.

### C. LEGAL FRAMEWORKS AND IMPLEMENTATION

26. **Sign**, ratify and adopt as appropriate, the sub-regional, regional and international instruments in the field of crime prevention and criminal justice listed in Annex A, and such Codes of Conduct, Declarations, Decisions, Recommendations, Plans of Action, Programmes of Action, Standard Minimum Rules, Principles, Guidelines, Safeguards, Procedures, Model Agreements and Regimes, in the field of crime prevention and criminal justice, listed in Annex B. Member States should give priority attention to their full implementation.
27. **Participate** in the preparation and timely completion of new bilateral, regional, continental and international arrangements for effectively combating crime and improving criminal justice, particularly those relating to terrorism, money-laundering, cyber crime, and theft and trafficking in cultural property, whilst pursuing the speedy accession to existing Conventions and Protocols and their effective implementation;
28. **Enact and harmonize** national legislations and formulate policies on effective measures to combat crime and criminality.
29. **Formulate** time-bound, measurable programmes of action and targets, in order to:
  - a) **reduce** the incidents and impact of organized crime, drug abuse and trafficking, trafficking in persons and firearms, smuggling of migrants, terrorism, corruption, economic and financial crimes, money-laundering, urban crime and risks to youth, and develop and strengthen international cooperation in law enforcement, including mutual legal assistance and extradition measures, within the context of respect for human rights;

- b) reform the criminal justice system, including the introduction or enhancement of restorative justice, as appropriate;
  - c) monitor and evaluate ongoing programmes periodically, and use the results of the evaluation to replicate and adapt best practices;
19. **Strengthen** capacities at national and regional levels for addressing the problems of crime prevention and criminal justice in the context of the African economic, social, cultural and political development, through research and analysis of problems leading to increase in the number of incidents of crime, with a view to establishing appropriate strategies and mechanisms for solving those problems;

**D. REGIONAL AND INTERNATIONAL COORDINATION AND COOPERATION**

19. **Call** upon Member States and the international community to increase their financial and technical assistance to the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI), in order to enhance its capacity to provide the required technical services to Member States of the African Union, and to promote and coordinate regional technical activities related to crime prevention and criminal justice systems in Africa;
20. **Strengthen** cooperation and partnerships among Member States and the AU Commission, relevant UN Agencies, and African and other international partners, in order to effectively combat transnational organized crime, including drug trafficking, trafficking in persons and firearms, smuggling of migrants, terrorism, corruption, economic and financial crime, money-laundering and cyber crime, promote crime prevention and enhance criminal justice reform, including restorative justice;
21. **Encourage** closer link between the Commission of the African Union and the United Nations Commission on Crime Prevention and Criminal Justice in the field of crime prevention and criminal justice;
22. **Establish** inter-ministerial mechanisms at sub-regional and regional levels to monitor the incidents of crime, collect and analyse data, and coordinate efforts to prevent and combat them;
23. **Stress** the imperative need to implement the African Union Plan of Action on the Prevention and Combating of Terrorism; and in this regard,

welcome the establishment and launching of the African Centre for the Study and Research on Terrorism, in Algiers, Algeria, as a novel achievement in Africa's collective efforts to outlaw and eradicate the scourge of terrorism from the Continent;

24. **Urge all** Member States of the Union to extend full cooperation and support to the Centre as well as take active part in their activities, and further urge those that have not yet done so to establish, as soon as possible, National Focal Points to liaise with the Centre;
25. **Appeal** to Africa's Partners, including international organizations, agencies, institutions and similar Centres around the world to provide support to the Centre and establish networks for information sharing, training, research, investigative and joint activities;
26. **Establish** the African Regional Centre for the Prevention and Eradication of Illicit Firearms Trafficking (the Regional Firearms Centre) to serve as a regional focal centre for effective promotion of cooperation, collaboration and coordination in this area, as well as facilitate the collection and exchange of information, and harmonization of the relevant legislation;
27. **Establish** urgently the Advisory Board on Corruption which shall collect and document information on the nature and scope of corruption and related offences in Africa, develop methodologies for analysing the nature and extent of corruption in Africa, and disseminate information and sensitize the public on the negative effects of corruption and related offences, and advise governments on how to deal with the scourge of corruption and related offences in their domestic jurisdictions, among other functions;
28. **Create** an African Crime and Criminal Justice Information Network, under the auspices of the African Union Commission, as the core of Pan-African crime prevention and criminal justice activities and programmes;
29. **Urge** Member States to intensify efforts to accelerate the establishment of these two Centres and Network and mobilize, with necessary contribution from their private sectors, the necessary financial and other assistance, to enable the Centres and the Network function effectively and efficiently. To this end, call upon Africa's Partners, including international organizations, agencies, institutions and similar Centres and Networks around the world, to provide support to these Centres and Network, and establish networks for information sharing, training, research, investigation and joint activities;



30. **Mobilise** funding for specific crime and criminal justice related Pan African projects. To this end, the African Region should additionally recommend the repatriation of all monies unlawfully removed from the economies of their Member States to the countries of origin, to enable Member States of the African Union cope better in their fight against such sophisticated crimes as transnational organized crime, drug trafficking and trafficking in persons and firearms, smuggling of migrants, terrorism, corruption, money-laundering, economic and financial crimes and cyber crimes;
31. **Utilize** the available expert resources of United Nations Office on Drugs and Crime (UNODC), United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI) and United Nations Interregional Crime and Justice Research Institute (UNICRI), International Organization for Migration (IOM) and International Criminal Police Organization (ICPO-INTERPOL) in the various capacity building and research projects/programmes outlined above. To this end, international technical assistance, on bilateral and multilateral bases, should be provided for African countries to enhance their capacities for ratifying and implementing the OAU/AU Conventions and Protocols on Corruption and Terrorism, and the United Nations Organised Crime Convention and its Protocols, as well as the adoption and implementation, at the international level, of other arrangements on corruption, economic and financial crimes, including money-laundering, cyber crime and theft of and trafficking in cultural property;

#### **IV. DOPTION OF COMMON POSITION**

19. Member States are invited to adopt the Common Position as contained under the Priority Policy Options and to ensure that the steps outlined thereunder are not only implemented at the national level, but will also be used as guidelines for African delegates at the forthcoming Eleventh United Nations Congress on Crime Prevention and Criminal Justice, holding in Bangkok, Thailand, 18-25 April 2005. The Common Position is therefore expected to facilitate the adoption of a meaningful Congress Declaration, which will take account of Africa's realities and interests, and which will go a long way to intensify efforts towards combating and controlling transnational organized crime, drug trafficking, trafficking in persons and firearms, smuggling of migrants, terrorism, corruption, economic and financial crimes, money-laundering and computer-related crime, as well as enhancing criminal justice reforms, including restorative justice.

#### **ANNEX A**

- OAU Charter on the Rights and Welfare of the Child, 1990.
- Organization of Africa Unity Convention on Preventing and Combating of Terrorism, 1999;
- African Union Convention on Preventing and Combating Corruption, 2003;
- UN Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs, 1961;
- Convention on Offences and Certain other Acts Committed on Board Aircraft, 1963;
- Convention on the Suppression of Unlawful seizure of Aircraft, 1970;
- United Nations Convention on Psychotropic Substances, 1971;
- Convention for the Suppression of the Unlawful Acts against the Safety of Civil Aviation, 1971;
- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, 1973;
- International Covenant on Civil and Political Rights, 1976;
- International Covenant on Economic, Social and Cultural Rights, African Charter on Human and Peoples' Rights;
- Convention against Taking Hostages, 1979;
- Convention on the Physical Protection of Nuclear Materials, 1979;
- Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988;
- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988;
- United Nations Convention on the Rights of the Child, 1989;
- Convention on the Marking of Plastic Explosives for the Purposes of Detection, 1991;

- International Convention for the Suppression of Terrorist Bombings, 1997;
- International Convention for the Suppression of Financing of Terrorism 1999;
- United Nations Convention against Transnational Organized Crime (the Organized Crime Convention), 2003;
- United Nations Convention against Corruption, 2003;
- Southern African Development Community Protocol on Combating Illicit Drugs, 1999;
- Protocol on the Control of Firearms, Ammunition and Other Related Materials in the Southern African Development Community (SADC) Region;
- Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementing to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1988;
- Protocol for the Suppression of Unlawful acts against the Safety of Fixed Platforms located on the Continental shelf, 1988;
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (Protocol on Trafficking in Persons), 2003;
- Protocol against Smuggling of Migrants by Land, Sea and Air, Supplementing the United Nations Convention against Transnational Organized Crime (the Protocol on Smuggling of Migrants), 2003;
- Protocol against Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition (the Firearms Protocol);
- Southern African Development Community Protocol on Mutual Legal Assistance in criminal matters and Extradition, 2003.

**ANNEX B**

- Nairobi Declaration on Small Arms and Light Weapons Management Programme;
- Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons
- West African Moratorium on Light Weapons;
- International Code of Conduct for Public Officials,
- Organisation of African Union Code of Conduct against Terrorism;
- United Nations Global Programme Against Terrorism;
- United Nations Millennium Declaration;
- International Regime Against Money-Laundering, including the 40 Recommendations of the Financial Task Force on Money- Laundering;
- The United Nations Standard Minimum Rules for the Treatment of Prisoners, 1955.
- The Declaration on the Protection of All Persons from being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (General Assembly resolution 3452 (XXX), annex);
- The Code of Conduct for Law Enforcement Officials (General Assembly resolution 34/169, annex);
- The Caracas Declaration (General Assembly resolution 35/171, annex);
- The Safeguards Guaranteeing the Protection of the Rights of those Facing the Death Penalty (Economic and Social Council resolution 1984/50, annex);
- The Procedures for the Effective Implementation of the Standard Minimum Rules for the Treatment of Prisoners (General Assembly resolution 1984/47).
- The Milan Plan of Action, approved by General Assembly resolution 40/32 of 29 November 1985;

- The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules, General Assembly resolution 40/33, annex);
- The Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (General Assembly resolution 40/34, annex);
- The Basic Principles on the Independence of the Judiciary;
- The Model Agreement on the Transfer of Foreign Prisoners
- Recommendations on the Treatment of Foreign Prisoners.
- The Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions (Economic and Social Council resolution 1989/65, annex),
- The Procedures for the Effective Implementation of the Basic Principles on the Independence of the Judiciary (Economic and Social Council resolution 1989/60, annex)
- The Guidelines for the Effective Implementation of the Code of Conduct for Law Enforcement Officials (Economic and Social Council resolution 1989/61, annex),
- United Nations Guidelines for the Prevention of Juvenile Delinquency (General Assembly resolution 45/112, annex);
- The United Nations Rules for the Protection of Juveniles Deprived of their Liberty (General Assembly resolution 45/113, annex);
- The United Nations Standard Minimum Rules for Non-Custodial Measures (General Assembly resolution 45/110, annex);
- The Basic Principles for the Treatment of Prisoners (General Assembly resolution 45/111, annex);
- The Model Treaty on Extradition (General Assembly resolutions 45/116, annex, and 52/88, annex);
- The Model Treaty on Mutual Assistance in Criminal Matters (General Assembly resolutions 45/117, annex, and 53/112, annex I);
- The Model Treaty on the Transfer of Proceedings in Criminal Matters (General Assembly resolution 45/118, annex);

- The Model Treaty on the Transfer of Supervision of Offenders Conditionally Sentenced or Conditionally Released (General Assembly resolution 45/119, annex);
- The Model Treaty for the Prevention of Crimes that Infringe on the Cultural Heritage of Peoples in the Form of Movable Property
- The Guidelines for Cooperation and Technical Assistance in the Field of Urban Crime Prevention (Economic and Social Council resolution 1995/9, annex);
- The Model Strategies and Practical Measures for the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (General Assembly resolution 52/86, annex);
- The Firearm Regulation for Purposes of Crime Prevention and Public Health and Safety (Economic and Social Council resolution 1997/28);
- The Model Bilateral Treaty for the Return of Stolen or Embezzled Vehicles (Economic and Social Council resolution 1997/29, annex II);
- The Guidelines for Action on Children in the Criminal Justice System (Economic and Social Council resolution 1997/30, annex);
- The International Code of Conduct for Public Officials (General Assembly resolution 51/59, annex);
- The United Nations Declaration on Crime and Public Security (General Assembly resolution 51/60, annex);
- The United Nations Declaration against Corruption and Bribery in International Commercial Transactions (General Assembly resolution 51/191, annex);
- The Plan of Action for the Implementation of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (Economic and Social Council resolution 1998/21, annex);
- The Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century (General Assembly resolution 55/59, annex);
- The Plans of Action for the Implementation of the Vienna Declaration (General Assembly resolution 56/261, annex);

- The Basic Principles on the Use of Restorative Justice Programmes in Criminal Matters;
- The Guidelines for the Prevention of Crime (General Assembly resolution 2002/13, annex).
- World Health Organization Framework Convention on Tobacco Control (2004)

**AFRICAN UNION**



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**Annex III**

**DC/EXP/Rapt/Rpt (II)**  
**Original: English**

## **REPORT OF EXPERTS' MEETING**



**AFRICAN UNION**

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**2<sup>nd</sup> AU Ministerial Conference  
on Drug control in Africa  
Meeting of Experts  
14–16 December 2004  
MAURITIUS**

**DC/EXP/Rapt/Rpt(II)  
Original: English**

**REPORT OF EXPERTS' MEETING**

## **REPORT OF EXPERTS' MEETING**

### **INTRODUCTION**

1. The Experts meeting, preparatory to the 2<sup>nd</sup> African Union Ministerial Conference on Drug Control, was held at le Meridien, Pointe Aux Piments, Mauritius, from 14-15 December 2004. The deliberations centred on the theme "Mainstreaming Drug Control into Socio-Economic Development in Africa".

### **ATTENDANCE**

2. The Experts Meeting was attended by Delegations from the following AU Member States: Algeria, Botswana, Burkina Faso, Cameroon, Cape Verde, Comoros,, Cote d'Ivoire, Djibouti, Egypt, Gambia, Ghana, Guinea, Libya, Madagascar, Mauritius, Mozambique, Namibia, Nigeria, Rwanda, Sahrawi Arab Democratic Republic (SADR), Senegal, Seychelles, South Africa, Sudan, Tanzania, Uganda, Zambia and Zimbabwe.

3. Other participants included Representatives from the following United Nations Agencies and Other International Organisations, Bilateral and Multilateral Agencies, NGOs and Civil Society Organisations: United Nations Office for Drugs and Crime (UNODC), NEPAD, United Nations African Institute for Crime Prevention and Treatment of Offenders (UNAFRI), International Organisation for Migration (IOM), ICPO-INTERPOL, ICRC, World Health Organisation (WHO), League of Arab States, African Group – Vienna, UNFPA and SADC Secretariat.

### **OPENING CEREMONY**

4. The Meeting was chaired by Ms. Namira Negm. After a brief welcoming remarks by the Chairperson, the meeting was addressed by the Representatives of the UNODC, the AU Commission, the Chairperson and the Minister of Social Security, National Solidarity, Senior Citizen Welfare and Reform Institutions.

#### **a) Statement by the Representative of UNODC**

5. In his statement, Mr Van den Berg, Representative of the United Nations Office on Drugs and Crime (UNODC), conveyed the greetings of the Executive Director and expressed appreciation to the Government of Mauritius and the African Union Commission, for the excellent organisation of the meeting. He underscored the excellent relations between the UNODC and the AU Commission in the area of drug control and related crime. He highlighted the

major challenges posed by the twin problems of drugs and crime and called on Governments to renew their commitment to fight the activities of “uncivil elements in our society”.

6. He further noted that the challenges of drugs were real and that African countries needed to strengthen their institutional capacities to achieve effective drug control outcomes. In this regard, he highlighted the need to combine resources to achieve concrete results by the 2008 deadline as agreed upon by the United Nations General Assembly Special Session (UNGASS) on Drug Control. Improved data collection and information sharing were therefore important to strengthen drug control activities at national, regional and continental levels.

**b) Statement by 3<sup>rd</sup> Vice-Chairperson of the 1<sup>st</sup> Ministerial Conference on Drug Control in Africa**

7. In her statement, Ms. Namira Negm recalled that the 1<sup>st</sup> Ministerial Conference on Drug Control in Africa, held in Yamoussoukro, 2002, adopted concrete measures to enhance efforts to curb drug abuse and illicit drug trafficking in Africa. She welcomed the theme of “Mainstreaming drug control into socio-economic development in Africa” and noted that while traditionally the focus on drug control was usually placed on law enforcement, the current theme would address the problem at grass root level.

8. She mentioned that drug trafficking, poverty and under-development as well as lack of legislation against drug trafficking were negatively impacting on the development of the continent. There was need therefore for countries to strengthen cooperation in controlling drug trafficking and prevent crime. In this regard, she called on delegations to reflect on the need to follow-up on the various regional and continental instruments as well as to improve the reporting system and data collection. This, she said, would assist in monitoring the implementation of the outcomes of the meetings.

**c) Statement by the AU Commissioner for Social Affairs**

9. In her statement, the Commissioner for Social Affairs, Adv. Bience Gawanas, thanked the Government and people of Mauritius for the warm hospitality and for the organizational and logistical support provided to enable the convening of the Second Conference on Drug Control in Africa. She also commended the UNODC for the support provided to the AU and its Member States in their efforts to address the problems of drugs in Africa. The Commissioner drew attention to the fact that the problems posed by drugs in Africa had reached a new dimension that was impeding on sustainable social, economic and political stability of the continent, and that no segment of the society was unaffected by drugs, particularly the family, youth and children.

10. She informed the meeting that the African Union was taking the issue of drugs seriously and that the Second Conference was part of a series of efforts by the Organization to address the issue from a holistic perspective. In this regard, Ms. Gawanas drew attention to some of the efforts undertaken at the continental level including among others, the three meetings of experts held in Nairobi in 1998, in Lusaka in 1999, and in Algiers in 2000, and as well as the First Conference of Ministers on Drugs, held in Yamoussoukro in 2002, which adopted a Plan of Action on Drug Control in Africa.

11. Given these developments, she underscored the importance of the theme of the Second Conference, “Mainstreaming Drug Control into Socio-Economic Development in Africa,” as a timely initiative to address the multifaceted dimension of drug control in the overall integrated development agenda. She further highlighted some of the linkages between drugs and other trans-national crimes such as money laundering, corruption and trafficking.

12. In conclusion, the Commissioner invited the Experts to, among others, consider the Draft Common Position on Crime Prevention and Criminal Justice to serve as Africa’s contribution to the forthcoming Eleventh United Nations Congress on Crime Prevention and Criminal Justice, scheduled to take place in Bangkok, Thailand in April 2005. She expressed the hope that the Second Continental Conference of Ministers on Drug Control would provide the Experts an opportunity to review Africa’s ability to play a meaningful role in the field of international drug control and to devise strategies for mainstreaming drug control in development.

**d) Statement by the Minister of Social Security, National Solidarity, Senior Citizen Welfare and Reform Institutions**

13. Mr. Samiullah Lauthan, Minister of Social Security, National Solidarity, Senior Citizens Welfare and Reform Institutions of the Republic of Mauritius after welcoming the delegations, emphasized the importance of the theme of the 2<sup>nd</sup> African Union Ministerial Conference on Mainstreaming Drug Control into Socio-economic Development in Africa. He indicated that there was need to adopt a holistic multidisciplinary approach to the complex and multifactoral issue of drug abuse and trafficking and all its ramifications as they constitute major constraints to the economic and social development of the continent.

14. The Minister further stated that it was important that the fight against drug abuse be carried out at continental level but more importantly at the levels of the respective regions and the individual countries and that it should involve all sectors of society such as Health, Labour, Education, the Family, Women, NGOs, CSOs, the Private Sector and other Stakeholders. To that effect, the Minister shared with the meeting the experience of his country in that field.

15. The Minister stressed the importance of the Experts' meeting in providing guidance and expertise on the way forward in the fight against drug abuse. He concluded by emphasizing the need for greater solidarity and collaboration among Member States in order to achieve the desired goals and free the continent from the scourge of substance abuse and its dramatic consequences.

## **ITEM 2: PROCEDURAL MATTERS**

### **a) Election of Bureau**

16. The following Bureau was elected:

Chairperson:	Mauritius
1 <sup>st</sup> Vice-Chairperson:	Zimbabwe
2 <sup>nd</sup> Vice-Chairperson:	Burkina Faso
3 <sup>rd</sup> Vice-Chairperson:	Cameroon
Rapporteur:	Algeria

### **b) Adoption of the Agenda and Programme of Work**

17. The Agenda and Programme of Work were adopted without amendment.

## **Item 3: Follow-up on the First AU Ministerial Conference on Drug Control in Africa:**

- a) Progress Report on the AU Plan of Action on Drug Control in Africa;
- b) Summary of the progress reports of the Member States.

18. The Representative of the AU Commission presented the two documents simultaneously. She highlighted that the AU Commission had received reports from 12 Member States, namely, Burundi, Cameroon, Congo Republic, Egypt, Ethiopia, Gambia, Ghana, Malawi, Mauritius, Nigeria, South Africa, Zambia and Seychelles on the implementation of the AU Plan of Action. Tanzania's report was received after all the other reports had been collated and translated. She stated that the reports were based on the seven priority areas listed in the Plan of Action and included the successes recorded and the challenges encountered.

19. During the discussion that followed, some Member States inquired about actions taken by the AU Commission to implement the recommendation concerning the 8<sup>th</sup> All Africa Games which stipulated that the theme for the event should be "Sporting against Drugs in Africa". Delegations also requested for information on the status of implementation of the Assembly Decision on the elaboration of an African Policy on Anti-Doping in Sport.

20. The following recommendations were proposed:

- i. The AU Commission should develop its capacity to develop a data base that would be accessible by Member States;
- ii. Member States should incorporate and harmonize their National policies with the AU Plan of Action and accord special attention to drug problems that are peculiar to each country;
- iii. Member States should map out strategies to counter the activities of the drug lords and organised criminal gangs operating in their countries as well as across the borders;
- iv. Judges, Legal Officers and Law Enforcement Agents should be given or provided access to further training in order to enhance their capacity for application and implementation of relevant drug laws, international Conventions on drug Control and the AU Plan of Action on Drug Control;
- v. Member States should provide street children who are hooked on solvents with treatment and rehabilitation programmes and involve the active participation of African cultural artists, musicians, CSOs, NGOs and the Organized Private Sector in campaigns targeting the vulnerable groups;
- vi. Member States should be encouraged to have bilateral agreements on Drug and Crime Prevention with countries in the continent as well as those in Europe and the Americas;
- vii. Governments should demonstrate political will in the implementation of national strategies to combat drugs and other related crimes;
- viii. the communication problem between the AU Commission and the Member States should be addressed through the establishment of National Focal Points. These Focal Points should communicate, to the AU Commission, their contact details including: phone numbers, fax and e-mail addresses to the AU Commission;
- ix. Member States should be encouraged to send regular report on the implementation of the AU Plan of Action on Drug Control.

**Item 4: Mainstreaming Drug Control into Socio-Economic Development in Africa**

21. In his presentation, the Representative of the Institute for Security Studies (ISS) noted that underdevelopment and poverty remained the key challenges for Africa. He also highlighted that trafficking, illicit manufacture and abuse of drugs were impeding development and fuelling conflicts and crime. He stated that the document analysed the impact of drugs on: agriculture; youth; health and education; and conflict. The document also addressed the issues of trafficking, manufacture and abuse of drugs and initiatives taken by the African countries to solve the problem. Among others, he highlighted the following:

- drugs have negative impact on the society, development programmes, agriculture, education, peace and stability;
- Africa, in particular coastal countries, is targeted as a transit route for various drugs by international drug syndicates;
- Cannabis is the most widely cultivated and abused drug in Africa and many African countries do not have the capacity to detect and deal with the problem;
- Rebel groups in countries in conflict are using illicit drug money to finance wars;
- Drug abuse has devastating physical, mental, emotional and social effects on the society, especially the youth.

22. The following recommendations were made:

- i. there is need to enhance African inter-agency cooperation against drug trafficking and abuse;
- ii. Member States should revise and harmonize their legislation to combat drug trafficking and ratify the various international and regional instruments on drug control;
- iii. Member States should share experiences and good practices;
- iv. Member States should develop rehabilitation strategies for out-of-school youth and create employment opportunities for them;
- v. Surveys and researches should be conducted at national level to facilitate the development of policies to combat the scourge of drugs;

- vi. The AU Commission should mainstream drug control and crime prevention in its programmes and activities.

#### **Item 4 (a): Drugs and Agriculture**

23. In his presentation, the Representative of the AU Commission emphasized that *Cannabis Sativa* otherwise known as *Marijuana* is cultivated all over the continent and it is the main cause of concern for Africa. It has added to the source of food insecurity in the continent as the farmers have shifted from food crops to the cultivation of Cannabis. The major reason for this is because of liberalisation and legalisation of non medicinal use of Cannabis in many parts of Europe and North America, and this is undermining the efforts of African countries to counter Cannabis cultivation as well as its trafficking and abuse. The presenter further explained the environmental implications of the cultivation of Cannabis, particularly as it is contributing to deforestation and depletion of primary reserved rain forest in Africa. He concluded his presentation by emphasizing the provision of alternative development initiative where the rural communities need to participate in decision making as well as have access to open export markets. He further advised that the NEPAD programmes take into consideration the relationship between illicit drug cultivation, production, and trafficking as they contribute to the crisis in African agriculture and food insecurity, which need to be addressed.

#### **24. *The following recommendations were made:***

- i. The AU Commission should implement the decision on the provision of alternative development for the eradication of illicit cultivation of Cannabis in Africa;
- ii. Mainstream alternative development programmes into natural resources management as well as into other development programmes funded by Governments and the Development Partners;
- iii. The rural communities need to be involved in decision making in order for the programmes to be successful;
- iv. The farmers must have access to open Export Markets for their products to be sold;
- v. The name of future Conferences should be changed to Ministerial Conference on Drug Control and Crime Prevention so as to take on board the control of criminal activities, especially as it relates to drug control



**Item 4 (b) : Drugs, Conflict and Migration**

25. This item was presented jointly by the representatives of the International Committee of the Red Cross (ICRC) and the International Organization for Migration (IOM). The main discussant was the Director for the United Nations Africa Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI).

**i) Presentation by IOM Representative**

26. The Representative of the IOM, focused his presentation on three main areas namely: transnational crime in the migration sector and the interrelationships between drugs and migration elements; building national and regional capacities for combating such crimes; and mainstreaming capacity-building actions in the migration sector into development programmes.

27. In his discussion of the linkages, the Representative asserted that there exists a relationship between drug trafficking and transnational organized crimes such as trafficking in human beings and the smuggling of migrants. In this regard, he stressed the point that drug traffickers have skills in falsification of documents and extortion tactics, which are also used for smuggling of migrants. On the other hand, he warned that weak migration management capacities and lack of effective border control provide a favourable environment for drug traffickers.

28. He pointed out the following as constituting important linkages between drug traffickers and the smuggling and trafficking in human beings:

- the means by which drugs are smuggled illegally into a country often serve also as the means for illegal migration;
- where unemployment is high, women and children who are addicted to drugs would resort to sex works in order to support their addiction, and subsequently, become highly vulnerable to trafficking in human beings;
- the rise in demand in the sex industries consequently leads to a rise in human trafficking;
- legislations that only criminalizes drug traffickers leads to a shift to human trafficking.

29. With regard to building the national and regional capacities, the Presenter discussed a number of measures the IOM was taking to improve migration management.

30. The following recommendations were made:

- i. building migration management systems and related policy frameworks should be seen as an essential part of nation-building and improved governance;
- ii. governments should consider migration management systems such as border checkpoints and visa issuance as tools to facilitate and improve migration;
- iii. governments should intensify intra and intergovernmental cooperation;
- iv. benchmarks should be established to measure achievements;
- v. Efforts aimed at combating drugs should address the root causes of illegal migration, particularly the poverty dimension which instigates young people to look for better fields afar;
- vi. The IOM should encouraged countries of the North to promote organized immigration through meaningful negotiations with countries of origins;
- vii. IOM should initiate a Draft Model Law that countries could use for bilateral agreements. This would discourage immigrants from risking their lives in illegal trafficking schemes;
- viii. Encourage labour migration as a useful instrument of solving the illegal immigration problem.

**ii) Presentation by ICRC Representative**

31. In her presentation, stressed the linkages between purchasing arms with drug money and the conditions fuelling conflicts. She referred to the effects of drugs in conflicts, in that intoxication on the battlefield is used as a means of manipulation and inducement. Drugs constitute an important means of getting funds and consequently, fuel armed conflicts. The breakdown of law and order during periods of conflict also lend ideal conditions for the drug trade.

32. The following recommendations were made:

- i. the ICRC needs to take an active role in treatment and rehabilitation of former child soldiers;

- ii. It was also stressed that efforts aimed at combating drugs in conflict situations should include programmes to deal with the drug dimension in post-conflict reconstruction;
- iii. Encourage rehabilitation programmes for child soldiers and other vulnerable groups through detoxification programmes.

### **iii) Presentation by UNAFRI Representative**

33. According to the Representative of UNAFRI, the importance of crime and crime prevention is often overlooked in national development policies. He listed the trafficking in drugs, trafficking in firearms and ammunitions, terrorism, trafficking in human beings and corruption as the priority research areas identified by the UN Africa Institute for Crime Prevention and Treatment of Offenders (UNAFRI). Crime prevention on the continent calls for common strategy as criminals do not respect borders and transnational organized poses serious threat to the entire continent. It was therefore important to recognize that effective measures against drug trafficking would have a positive impact on crime prevention efforts.

34. The following recommendations were made:

- i. The AU Commission should identify, evaluate and disseminate good practices and measures amongst African countries;
- ii. Member States are encouraged to sign and ratify the various regional and international crime prevention instruments;
- iii. Crime must be recognized as an impediment to sustainable development and stability.

### **Item 4 ( c ): Drugs, Education and Health**

35. This theme was jointly presented by the Representatives of the World Health Organization (WHO) and the United Nations Office on Drugs and Crime (UNODC).

#### **i) Presentation by WHO**

36. In her presentation, Regional Bureau for Africa (based in Brazzaville), noted at the outset that drugs, education and health were interrelated and served as indicators for measuring development. However, the increase in the use of drugs was impacting negatively on development, health and education. In this regard, she provided an overview of the statistics on the type and use of

drugs in Africa and their consequences on health, particularly as it relates to the spread of HIV/AIDS.

37 In conclusion, she stressed the fact that drugs constituted a real health problem for Africa, with consequences on the individuals, families and communities. She emphasized the need for regional and international cooperation and partnerships to address the problem, and indicated the willingness of the WHO to work with African countries to deal with the problems of drugs vis-à-vis education and health.

## **ii) Presentation by UNODC**

38 The UNODC Drug Abuse and HIV/AIDS Adviser for Africa UNODC began by presenting the triangle of the work of the UNODC relating to young people, which prioritises on Sexual and Reproductive Health, Drug Abuse and Prevention, and HIV/AIDS Prevention. He highlighted the point that the issue of injecting drug use was a critical and prevalent problem in the transmission of HIV/AIDS, which was unfortunately receiving little international attention.

39 He then presented an overview of the epidemiological and comparative study on the injection of drug use (IDU) and the transmission of HIV/AIDS in Africa, focusing on the regional and national dimensions. In conclusion, he observed that IDU has become a prevalent factor in the spread and transmission of HIV/AIDS among African youths and adolescents. He stressed the need for effective measures to address the dimension of IDU in the transmission and spread of HIV/AIDS in Africa.

40. The following recommendations were made:

- i. Governments are encouraged to combat the problems of substance use and abuse paying attention to the emerging Injecting Drug Use patterns and to have strategies to address the prevention of HIV/AIDS infection among Injecting Drug Users and other vulnerable populations;
- iii. Governments should develop preventive drug education curricula with emphasis on the teaching of life coping;
- iv. The AU Commission should develop an African Policy on Cannabis and tobacco;
- v. Governments should encourage and empower women and the family in mainstreaming drug control, particularly with regard to the promotion of education;

- vi. Measures/actions should, among others, focused on the following areas: developing/strengthening legislation, establishing the necessary institutions; building capacities; and rehabilitation programmes;
- vii. Home-grown models should be encouraged and replicated.

**E. Item 4 (d): Drugs, Youth and Children**

41. In his presentation, H.E Mr. Samioullah Lauthan, Minister of Social Security, National Solidarity, Senior Citizen Welfare and Reform Institutions referred to the root causes which were destabilizing the youth of today. He expressed concern about the increasing of drug abusers among the youth. He mentioned that it was becoming more difficult for children to become an adolescent because of various reasons, including the disappearance of the extended family system; the single parent family; modern technology and a changing environment. He emphasized that there was need for adolescents to develop self-confidence, take initiatives, explore the environment they live in, become economically, socially and emotionally independent, discover their own aptitudes, and develop their own identity. He highlighted that most of the time youth resorted to drugs due to peer group pressure.

42. With regard to children, he noted that they always look at their parents as positive role models. He added that children become involved in drugs for various reasons, including, influence from their peer group; curiosity; pleasure derived from drugs; and to escape from problems. He noted that the nutrients most commonly abused were sugar, salt, fats and pain killers.

43. The Minister stressed that parents had an important role to play in preventing their children from getting involved in drugs. In this regard, parents needed to, among others:

44. The following recommendations were made in relation to parenting and child drug abuse. Parents should:

- i. respect their children, listen to them and discuss any problem openly with them;
- ii. assist their children to build self-confidence and encourage them to participate in sports, music, art and other recreational activities;
- iii. Reward their children for good behaviour and job well done;

- iv. Hold regular meetings with their children to discuss family matters and give them a chance to express their feelings;
  - v. Remain calm when touchy issues are being discussed;
  - vi. Assist their children in combating peer group pressure.
45. Governments are encouraged to:
- i. build the capacity of stakeholders working in the field as well as develop life skill for children and include them in the school curricula;
  - ii. develop a policy on alcohol at national level to include age limits, access to alcohol, and control of alcohol products;
  - iii. conduct studies and collect data on the link between HIV/AIDS and drugs;
  - iv. Promote youth educational, spiritual and cultural values.
46. The AU Commission should expedite the appointment of an Ambassador for Sports to promote healthy sports for children and discourage the use of drugs in sports.

**Item 5: Consideration of the Draft Africa's Common Position on Crime Prevention and Criminal Justice**

47. The Draft Common Position on Crime Prevention and Criminal Justice to constitute Africa's contribution to the 11<sup>th</sup> United Nations Congress on Crime Prevention and Criminal Justice scheduled to be held in Bangkok, Thailand in April 2005, was considered paragraph by paragraph and amendments were made as appropriate.

48. The Experts recommended the Draft Common Position on Crime Prevention and Criminal Justice for the consideration and adoption by the Ministers.

**Item 6: Item Proposed by Mauritius**

49. In the presentation on Drug Information Systems in Africa, the Research Coordinator of NATRESA highlighted the central components of both the East Africa Drug Information System (EADIS) and the Southern African Development Community Epidemiology Network on Drug Use (SENDU). He stated that both systems aim to track patterns and trends of substance abuse in the respective region and make global assessment of the drug problem. The systems allow policy makers to address the burden of drug abuse and related diseases.

50. A second presentation was also made by the Representative of AIDS Unit of the Ministry of Health on the HIV/AIDS situation in Mauritius and the linkage between HIV/AIDS and Injecting Drug Use.

51. The following recommendations were made:

- i. encourage Governments to collect more data from additional sources;
- ii. provide broader access to drug testing kits;
- iii. conduct more research on the relationship between drug abuse, TB and HIV/AIDS.

**Item 7: Date, Venue and Theme of the 3<sup>rd</sup> Ministerial Conference on Drug Control in Africa**

52. The Experts meeting referred this item for the consideration of the Ministers.

**Item 8: Any Other Business**

53. Under this item, concerns were expressed regarding the problem of alcohol and substance abuse among the ageing population and the increasing number old people seeking for medical assistance in Clinics.

54. The following recommendations were made:

- i. The AU Commission should develop special intervention strategies for drug and alcohol abusers among the ageing;
- ii. Member States should provide special intervention services to meet the requirements of ageing people with alcohol and substance abuse problems;

- iii. Member States are urged to enhance community mobilisation and participations in treatment, rehabilitation and integration of drug abusers.

**Item 9: Adoption of the Report and Common Position on Crime Prevention and Criminal Justice**

55. The Experts considered the Draft Report and adopted it with some amendments.

56. The Draft African Common Position on Crime Prevention and Criminal Justice was considered and adopted after some amendments.

**Item 10: Closing**

57. In his closing remarks, the Chairperson expressed satisfaction in the way the Experts' meeting was conducted as well as its outcome. He thanked all Experts for their valuable contributions and declared the meeting closed.



2005

# Report of the 2nd African Union ministerial conference on drug control in Africa

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