



**Fifth Meeting of the ASEAN Inter-Parliamentary Assembly (AIPA)
Fact-Finding Committee (AIFOCOM) to Combat the Drug Menace
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COUNTRY REPORT OF INDONESIA

A. Introduction

Illicit drug trafficking and abuse poses serious problems and affects the existence and sustainability of the society and state. According to the report of the *United Nations Office on Drugs and Crime (UNODC)* in 2007, there are more than 200 million drugs users around the world. Recognizing the immense impact of narcotic drugs, Indonesia remains steadfast in countering the world drug problem, in particular problems related to illicit cannabis cultivation, illicit trafficking of amphetamine-type stimulants (ATS) and its precursor, and illicit trafficking of ecstasy and methamphetamine which are also widely abused in Indonesia. Indonesia, like other UN member states, is of the view that actions against the world drug problem are common and shared responsibilities and require an integrated and balanced approach in full conformity with the purposes and principles of the UN Charter and International Law.

Types of narcotic drugs which are commonly abused in Indonesia are listed in schedule I and II such as cannabis, heroine, and codeine. Whereas for psychotropic substances, mostly are listed in schedule I and II such as MDMA/ecstasy, methamphetamine, amphetamine, diazepam, bromazepam and nitrazepam.

Since illicit trafficking of narcotic drugs and psychotropic substances are a common concern for the international community, it is thus impossible for a single country to combat such crimes alone. Therefore, the Indonesian Government maintains strong relationship and cooperates vigorously at the bilateral, regional and multilateral levels, for instance by conducting joint trainings, exchange of information and intelligence, providing support at the operational level between law enforcement agencies, and other related activities through a common vision in an integrated and coordinated manner.

Indonesia has ratified all the UN Conventions related to drugs control and enacted its own national law on narcotic drugs and psychotropic substances (Law No.5/1997 on Psychotropic Substances and Law No.22/1997 on Narcotic Drugs) based on the three UN instruments on drugs control. In 2002, Indonesia established the National Narcotic Board (NNB) through a Presidential Decree No.103/2002 with the main task of coordinating government agencies to formulate policies and implement such policies in the areas of supply reduction; demand reduction; and treatment and rehabilitation. Through the years, a lot of effort has been conducted to eradicate the illicit trafficking of narcotic drugs, including illicit cultivation of crop drugs. The government has also launched and conducted many public awareness campaigns through workshops, trainings, and other programs in order to increase public awareness of the dangers of drugs. The NNB has also established a number of task forces to combat illicit trafficking of narcotic drugs, precursors, and other addictive substances, such as the Precursor Control Task Force and Airport and Immigration Task Force.

In strengthening its bilateral cooperation with countries, Indonesia has signed Memorandum of Understandings (MoUs) to prevent and combat illicit trafficking of narcotic drugs and its precursor with several countries, such as Laos, Pakistan and Iran, and currently is in the process of signing similar MoUs with Nigeria, Brunei Darussalam, Uzbekistan, Egypt, the Philippines, Algeria, Venezuela; and Saudi Arabia. Indonesia is also in the process of discussing a bilateral MoU with the European Union, which among others would incorporate cooperation in preventing and combating illicit trafficking in narcotic drugs. In developing its law enforcement capacity, Indonesia has developed close cooperation with the United States of America, Australia, Germany, Japan, Singapore, Malaysia and Thailand.

At regional level, Indonesia is cooperated with other ASEAN Member States through the works of ASEANPOL, ASOD and ACCORD (with China), HONLEA, and RILO. In the past, Indonesia has also called upon ARF members to strengthen their mechanisms for control of precursor chemicals, in particular the prior notification of export mechanism and to share relevant information in order to prevent their diversion into illicit market.

At the multilateral level, Indonesia actively participates in the CND sessions, and has built strong relationship with the INCB and UNODC, including fulfilling its international obligation of reporting the situation of narcotic drugs, psychotropic substances and precursors, through ARQ, BRQ, and the submissions of quarterly reports to the INCB.

In order to improve its work in eradicating illicit trafficking of narcotic drugs and psychotropic substances, Indonesia has launched its national strategy on the prevention and eradication of the abuse and illicit production and distribution of narcotic drugs and psychotropic substances, consisting of demand reduction, supply reduction, research and development including human resources, institutional and structural development, strengthening national legislation, networking with civil society, and strengthening international cooperation.

Number of drug related cases in Indonesia are increasing from 3,617 in 2001 to 22,630 in 2007 or increase around 53.5% on average per year. Numbers of suspects are increasing from 4,924 suspects in 2001 to 36,169 suspects in 2007, or an increase of 49.6% on average per year. Since 2001 to 2007, the Indonesian National Police (INP) has seized narcotic drugs, such as cannabis (188 ton and 3.8 million sticks), heroine (117 kg), morphine (11.7 kg) and cocaine (69.7 kg). In Indonesia, persons involved: in crimes related to narcotic drugs and psychotropic substances are punishable for four years to a sentence of life of imprisonment or even the death penalty.

B. Indonesia's laws related to the eradication of narcotic drugs and psychotropic substances are as follows:

1. Law no. 9 year 1976 on Narcotic Drugs as amended by Law No.22 year 1997 on Narcotic Drugs
2. Law no.8 year 1976 on the Ratification of the Single Convention on Narcotics and Protocol Amending Hereto
3. Law no.8 year 1996 on the Ratification of the United Nations Convention on Psychotropic Substances
4. Law no.5 year 1997 on Psychotropic Substances

5. Law no.7 year 1997 on the Ratification of the UN Convention against Illicit Traffic in Narcotics and Psychotropic Substances
6. Law no.15 year 2002 on Money Laundering as amended by Law no. 25 year 2003

C. Indonesia: Review of Ten years of UNGASS 1998

1. Drug Demand Reduction,

As mentioned in the Political Declaration of the UNGASS, that demand reduction is an indispensable pillar in the global approach to countering the world drug problem. Therefore, Indonesia's effort on drug demand reduction involves efforts on the prevention of drug abuse, treatment, and rehabilitation. Indonesia has in the past believed that drug demand reduction should be conducted in accordance with each type of community, ethnic, culture, age, level of education and level of socio-economic development. An effective strategy in demand reduction should involve cooperation and partnership among various stakeholders including government, law enforcement, NGOs, religious community, mass media and civil society.

a. Prevention

Drug prevention and awareness raising efforts are conducted in every level of the society, from the smallest part of the community such as the family to the work place and schools by providing education and information among others- through seminars, workshops, religious teachings; art and music performances, exhibitions, books, leaflets, and brochures including incorporating the dangers of drugs in school curriculums. Apart from those efforts, Indonesia recognizes that the role of mass media is an important element in supporting awareness raising campaigns to the general public.

b. Treatment and rehabilitation

The government has established a manuals for professionals in the field of drug addiction especially officers, paramedics, counselors and conducted trainings to enhance the capacity of human resources in the field of drug addiction. As a chronic relapsing disease, treatment and rehabilitation comprise a comprehensive approach of detoxification including psychiatric intervention, psychological support, social rehabilitation, and after-care programme. The three core programmes of NNB on treatment and rehabilitation are One Stop Centers (OSC), Out Reach Centers (ORC), and Community-based Unit (CBU).

In mid 2007, Indonesia established a multi-approached Integrated Treatment and Rehabilitation Center in Lido, Bogor, West Java, with the aim to be the National Referral and Research Center. Pamardi Siwi is equipped with the state of the art facilities and professionals working in the areas of treatment and rehabilitation. Rehabilitation centers, detention centers and special prisons for drugs dealers and abusers are also established in a number of provinces in Indonesia.

2. Measures to Promote Judicial Cooperation

a. Mutual Legal Assistance

Indonesia is committed to ensure widest cooperation with foreign jurisdictions in combating crime through fostering mutual legal assistance (MLA) in criminal matters. Indonesia has enacted its legislation on mutual assistance in criminal matters as stipulated in Law number 1 of 2006. This Law provides a legal basis for the Government to request for and/or provide mutual legal assistance in criminal matters. It also serves as a guideline to enter into agreements on mutual legal assistance in criminal matters with other countries. Furthermore, this law also opens the possibility of sharing assets forfeited with other countries on a bilateral basis.

In Indonesia, assistance may be provided based on a treaty, however in the absence of a treaty the assistance may be provided based on good and friendly relationship under the principle of reciprocity.

According to the law, the central authority of MLA is the Minister of Law and Human Rights. States may request for the assistance directly to the central authority or through diplomatic channel.

The scopes of assistance consist of:

- a. identifying and locating persons;
- b. obtaining statements or other forms thereof;
- c. providing documents or other forms thereof;
- d. making arrangements for persons to provide statement or to assist in the investigation;
- e. delivering letters;
- f. executing the inquiry of search warrant and seizure;
- g. the forfeiture of proceeds of crime;
- h. the recovery of pecuniary penalties in respect to the crime;
- i. the restraining of dealings in property, the freezing of property that may be recovered or confiscated, or that may be needed to satisfy pecuniary penalties imposed, in respect to the crime;
- j. locating property that may be recovered, or may be needed to satisfy pecuniary penalties imposed, in respect to the crime, and/or.
- k. other assistance in accordance with this Law.

A conveyance of the request for assistance, information or other communications may be drawn up in the language of the requesting state and/or in English and the Indonesian translation thereof shall be made.

The request for assistance must include the following:

- a. the purpose of such request and a description of requested assistance;
- b. the name of Agency and Official conducting the investigation, prosecution or examination before the court related with said request;
- c. description of the crime; case settlement phase, statutory provisions, content of articles and sanctions imposed;
- d. description of the act or condition being alleged as criminal, except in case of the request for Assistance for conducting service of process;
- e. relevant judgment and information that such Judgment has permanent legal force in the event of the request for Assistance to execute a judgment;
- f. details of specific procedures or requirements desired to be complied with, including information concerning whether or not legal means of proof required are to be made under oath or pledge;
- g. requirement, if any, concerning confidentiality and the reason therefore; and
- h. the desired time limit for carrying out said request.

The request for assistance, to the extent that it is necessary and possible, must also contain the following:

- a. identity, citizenship, and domicile of, the Person deemed able to provide statement or depositions related with the investigation, prosecution and examination before the court;
- b. a description concerning the requested statement or deposition;
- c. a description concerning required documents or other legal means of proof articles to be submitted, including a description concerning the Person deemed able to provide such evidence; and
- d. assistance for deriving depositions, documents and other evidences voluntarily must contain the statement of explanation that the request for assistance is related with an investigation, prosecution and examination before the court in the requesting state and the status of the person is as a suspect or a witness; the matters to be questioned in the form of a list of questions; and/or description of deposition can be taken in Indonesia or documents or other legal means of proof being requested are in Indonesia.

Indonesia has entered into bilateral MLA treaties with Australia (1995) and China (2000). Indonesia is also in the process of ratifying its bilateral MLA treaty with Republic of Korea and in the process of ratifying the ASEAN MLA Treaty. Indonesia is also in the process of signing the bilateral MLA treaty with Hong Kong and the Netherlands.

b. Extradition

Indonesia has enacted a national legislation on extradition based on Law No.1/1979 on Extradition. The same principles apply to that of the Law on Mutual Assistance in Criminal Matters, such as the granting of extradition based on treaties, or based on good and friendly relations.

Indonesia has entered into bilateral extradition treaties with the Malaysia (1974), the Philippines (1976), Thailand (1976), Australia (1992), Hong Kong (1997), and Republic of Korea (2000), Indonesia is also in the process of ratifying the extradition treaty with Singapore and in the process of signing the extradition treaty with China.

c. Controlled delivery

According to the Indonesian Law on narcotics the implementation of controlled delivery is applicable in investigating the delivery of chemical substances/precursor, clandestine laboratory equipments, and/or the delivery of suspicious materials related to drugs. This practice is conducted until the activities of illicit drug trafficking are revealed and the perpetrators are identified.

Controlled delivery should be undertaken in the basis of accuracy, precision, security, coordination and conducted without undue delay among related institutions, among others, customs, immigration and private sectors. Respective law enforcement bodies in sending countries are expected to inform on any activities related to drug delivery at the first instance. Any chemical substances/precursors or equipment which might be -used in clandestine laboratory should be informed to the destination country. The information may consist of the types and specification of substances or equipments, transportation mode, prediction on schedule of arrival in destination country, exporting and importing companies, persons involved in the delivery process, criminal records, and other information useful for further advancement of the investigation.

In addition to controlled delivery technique, undercover officers are also directly engaged with drug syndicates in order to closely monitor their suspicious movements. Controlled delivery is conducted under the law and legislation of each respective country.

As an example, Indonesia, in cooperation with the Hong Kong Police, US-DEA and Australian Federal Police, successfully dismantled a mega clandestine laboratory located in Cikande, Banten, West Java, Indonesia, in 2005. The Bureau of Narcotics of the Hong Kong Police informed the Indonesian National Police on the delivery of one container (TOLU 1810965140") from China containing machinery (equipments) for clandestine laboratory, and the delivery of Ketamine using one container (PONU 08498161/20") from Malawi via Singapore. The clandestine laboratory was dismantled after an extensive investigation on the equipment and the ketamine substance.

d. Trafficking by sea

Indonesia is the largest country in South East Asia and world's largest archipelagic state comprising of 17,500 islands, with a total land area of 2,027,067 square kilometers, and sea area of 3,166,163 square kilometers, with costal line of more than 85,000 kilometers. This geographical situation has an impact for criminal syndicate to exploit due to the vastness of the coastal and land area of Indonesia.

Indonesia possesses 124 seaports consisting of 39 international seaports while the remaining are traditional seaports. Most seaports are not well-supported by proper facilities and resources needed to thoroughly monitor clandestine activities in the seaports.

In countering the trafficking by sea, close cooperation among customs, immigration and officers in border areas is essential to strengthen the monitoring of sea traffic including ports (international and traditional ports).

This situation is then exploited by international drug syndicates to smuggle illicit drugs to Indonesia. Followings are examples of cases related to transnational illicit drug trafficking by sea:

- 1) Dismantling of 955 kg of methamphetamine smuggled through sea lane from Guang Dong, China, to Teluk Naga, Banten, West java, Indonesia, on August 29, 2006
- 2) Dismantling of 13 kg of methamphetamine smuggled through sea lane across Malaysia - Batam – Tanjung Priok, Jakarta, Indonesia, on April 30, 2006
- 3) Disclosure of the illicit trafficking of 13,009 tablets of ecstasy (MDMA) and 12,490 tablets of "Happy Five"/Eritmine via Malaysia - Riau - Batam, Indonesia, coastline on November 22, 2006
- 4) Dismantling of 336 kg of norephedrine in 15 sacks hidden amongst 385 sacks of fish feed (brand: Eurasia Nutrition) in a 20 feet container with registration number TEXU 3853006, shipped from Indonesia to Tanjung Priok, Jakarta, on March 8, 2007
- 5) Dismantling of 253.3 grams methamphetamine trafficked through sea lane across Tawau, Malaysia - Nunukan, East Kalimantan, Indonesia, on April 21, 2007
- 6) Dismantling of the illicit trafficking of millions tablets of ecstasy (MDMA) through sea lane across Hong Kong - Malaysia - Tanjung Prick, Indonesia, in November 2007.

e. Law enforcement cooperation, including training

Indonesia is committed to strengthening efforts related to drug law enforcement by conducting international cooperation, at the bilateral, regional and multilateral level. This spirit is in accordance with the United Nations Convention 1988 on the eradication of illicit drug trafficking, narcotics and psychotropic substances, as ratified by Indonesia through its Law No. 7 year 1997.

Law enforcement cooperation between Indonesia and other countries as well as international organizations are undertaken as follows:

1. Cooperation in enhancing human resource capacity:
 - a. Participation of the Indonesian National Police (INP) personnel in the trainings conducted by countries;
 - b. Joint training on drug law enforcement between the INP and law enforcement offices of other countries with the assistance of countries possessing related expertise. Such training is aimed at sharing and exchanging information and expertise on drugs, drug syndicate and drug crime in order to establish best practices and lessons learned.

Followings are the trainings conducted by the INP, in cooperation with the US-DEA, AFP and JICA:

- 1) Narcotics Tactical Operation Training
- 2) Clandestine Laboratory Investigation Training
- 3) Airport Interdiction Training.
- 4) Parcel and Mail' Interdiction Training
- 5) Wire Intercept Training
- 6) Precursor Chemical Control Training
- 7) Maritime Law Enforcement and Cross Border Interdiction Training
- 8) Extensive Marijuana Eradication Training
- 9) Practical Application Training
- 10) Asset Forfeiture/Money Laundering Training
- 11) Precursor Chemical and Explosive Training
- 12) Computer-Based Training

2. Cooperation in developing supporting operational equipment technology:

The INP was assisted by law enforcement institutions of respective countries relating to operational equipments technology as follows:

- a. Surveillance vehicle donated by Germany
- b. Intercept and hidden camera equipment donated by Australia (1998) and the US-DEA (2007)
- c. Dongle Analysis Note Book Software and Crime-link Software donated by the US-DEA (2004)
- d. Radio Communication (HT) and Narcotic Test Kit donated by Japan (2005)
- e. Protective Personal Equipment (PPE) to support efforts in dismantling drug clandestine laboratory donated by New Zealand and the US-DEA (2006)
- f. 7 units of operational vehicles to support narcotic investigation donated by the US-DEA (2007)

3. Law enforcement cooperation at the operational level:

- a. Exchange of information on suspects related to their syndicate network, movement and activities. Such information is used as an early warning to start and assist investigation process.
- b. Joint investigation and joint operation targeted to suspects who are connected with multinational and/or organized crime syndicates.

- c. Inter-country controlled delivery involving two or more countries in the conduct related to drug deliver control including precursors in order to detect suspicious materials used by clandestine laboratory.
 - d. Exchange of expertise on countering drug problems namely expertise on developing and reviewing legislation and penal code, analyzing chemical composition of drugs, operating hi-tech investigation equipments such as crime link, direction finder, satellite surveillance, and etc.
 - e. Joint Patrol on border areas of Indonesia and neighboring countries, for instance joint patrol conducted by the Indonesian National Police and Malaysian Police.
4. Participation in the formulation of a global drug law enforcement strategy:

Indonesian National Police actively takes part in the formulation of regional and global drug law enforcement strategy through its' participation in the ASEANPOL, International Drug Enforcement Conference (IDEC), Asia-Pacific Operational Drug Enforcement Conference (ADEC), Asian Collaborative Group of Local Precursor Control (ACoG), ACCORD International Congress and ASOD.

3. Action Plan on International Cooperation on the Eradication of Illicit Crops and on Alternative Development

The UNODC annual report, World Drug Report 2007, stressed that cannabis is the most widely abused drug in the world. There are 160 million cannabis abusers per annum. Cannabis is produced by at least 172 countries. In the 49th Session of Commission on Narcotic Drugs in 2006, countries agreed that sustainable alternative development (SAD) is a basic component of the strategy to eradicate narcotic drugs. Therefore SAD should be based on an integrated approach and comprehensive consisting of demand reduction efforts, fulfilling basic needs such as health and education, sustainable development and element of prosecution including law enforcement.

According to a research conducted by the NNB in cooperation with the Health Research Center of the University of Indonesia in 2004, there were 3.2 million Indonesian people consuming narcotics and other addictive substances. Around 70-75 % of them were cannabis users. According to this data, cannabis is the most abused drug in Indonesia.

Efforts in combating drug problems have been implemented by competent authorities. Even though a number of drug dealers had been punished severely and cannabis plantation had been eradicated by law enforcement authority, supply of cannabis in local market remains high. Thus, the cannabis problem should be tackled by formulating a comprehensive policy which includes the implementation of SAD, not only through prosecution and drug crops eradication but also through policy which touch the root causes.

Nanggroe Aceh Darussalam province is widely known as main cannabis producer in Indonesia. Cannabis from Aceh has good reputation in local and international market due to its high THC content. Tsunami that hit the province in 2004 did not destroy the crops because the location of cannabis plantations is in high mountain areas. Therefore, the illicit cannabis market keeps on expanding and increasing in the post tsunami.

The immense drug problems in Indonesia, particularly its illicit cultivation have triggered the government to draft a national action plan on alternative development to combat the abuse and illicit cannabis cultivation. The program of alternative development in Indonesia had been initiated since 2005 through a national seminar on "The Prospect of Developing and Implementing Alternative Development Policy to Combat the Illegal Cannabis Planting" which aimed at introducing the alternative development programme. International partnership through the UNODC and other international agencies plays an important role in giving assistance to develop a model of alternative development in Indonesia. The Mae Fah Luang Foundation (MFLF) of Thailand, which is recognized as the most successful entity in developing alternative development programme in Golden Triangle, has provided assistance for the planning and implementation of the programme in Indonesia. Since 2006 MFLF and the competent authorities in Indonesia have started a pilot project in Lamteuba Aceh. The pilot project was initiated with a group of experts from MFLF which conducted surveys and base/line data in Lamteuba. From thereon - work started underway in addressing health issues in particular the problems related to malaria and the need for trainings-in prosthesis as well as work related to economic empowerment such as banana plantation and other agricultural commodities. As a part of alternative development programme, such activities were undertaken to win the trust of local community in order to pave the way for furthering substantive social - economic interventions. In December 2007, MFLF sent another technical team to Lamteuba, Aceh consisting of experts on irrigation, agriculture and poultry farming. Meanwhile, it is expected that the cooperation with UNODC on rapid cannabis assessment will be resumed in 2008.

4. Action Plan against Illicit Manufacture, Trafficking and Abuse of Amphetamine-type Stimulants and their Precursors

Indonesia is recognized as a transit and destination country of ecstasy (MDMA) and methamphetamine (MA). In 2005, the trend shifted and Indonesia became what was known as the 3rd largest producer of ecstasy and methamphetamine. This was exacerbated by the fact that clandestine laboratories producing those harmful drugs were uncovered.

Type of precursor used for producing methamphetamine, amphetamine and ecstasy are 1-phenyl-2-propanon, Phenyl Acetate Acid, isosafrol, safrol, ephedrine, nor-ephedrine, pseudo-ephedrine and piperonal. Indonesia only produces traditional safrol precursor. Indonesian pharmaceutical industries obtain their precursors through importation licenses.

As one of producers of ecstasy and methamphetamine, Indonesia stresses the importance of strengthening control and monitoring mechanism over chemical precursors to prevent their leakage or diversion in the process of importation :and exportation or in the distribution and consumption and to guarantee the availability of precursor to fulfill actual needs for the

pharmacological and industrial purposes. Therefore, the government started to, implement policies as recommended by the National Action Plan as follows:

- Short Term Programmes
 - a. Intensifying coordination among institutions periodically by enhancing the role and function of the Task Force on Precursors regularly; consolidating national reporting system; empowering UO Precursors; and controlling the export of precursors.
 - b. Establishing the Provincial and District National Boards which equipped with capacity on drug control and to raise awareness in local level
 - c. Enhancing a system to monitor illicit production and illicit trafficking of narcotic drugs and psychotropic substances.
 - d. Strengthening the application of pre-export notification for ephedrine, pseudoephedrine and other pharmaceutical preparat;
 - e. Strengthening control and monitoring of domestic distribution of ephedrine and pseudoephedrine for medical purposes.

- Medium Term Programmes
 - a. Strengthening the national legislation by enacting the Bill on Precursors.
 - b. Increasing the capacity of human resources including law enforcement personnel and judiciaries;
 - c. Increasing the role of chemical industries to prevent diversion of precursors by raising their awareness; encouraging the industries to conduct preventive measures voluntarily; adopting a global and harmonized system such as Code of Conduct of Industrial Practices; and improving partnership.

5. Control of precursors to prevent the abuse of narcotic drugs and psychotropic substances in Indonesia

As substance essential for pharmacy and industry, the use and distribution of precursor should be controlled to prevent its diversion. In Indonesia, precursor chemicals is distributed and used under Government control through the law no. 22 Year 1997 on Narcotic Drugs and law no. 5 Year 1997 on Psychotropic Substances. In this regard, Indonesia has undertaken following measures:

- a) Pre-emptive measures through-dissemination of information, awareness raising and data collection of precursors such as ephedrine, nor ephedrine, toluene, calcium permanganate, and anhydride acetate;
- b) Preventive measures through monitoring of chain of distribution and tightening control in vulnerable areas such as in cannabis cultivation

area, location of illicit production, areas of distribution, seaport, airport and border areas.

- c) Repressive measures
NNB has established a National Narcotic and Psychotropic Task Force in 2003. In implementing its function, the Task Force may conduct legal measures such as re-export, disclosure of network/ syndicate, annihilation of evidence and collecting evidence.
- d) Cross-sectoral cooperation to strengthen national capacity which implemented periodically with related institutions; through trainings on the control of precursor in national and local level; and training on "The Detection of Illegal Precursor Trade and Narcotic Laboratories" assisted by the UNODC; training for the Precursor Task Force assisted by the US DEA and UNODC; and training on reporting system and filling of narcotic, psychotropic and precursor data assisted by the INCB.

Control of precursors in Indonesia:

- a. Control of importation and exportation of precursors
 - Conducting analysis on the application of the import and export of precursors as regulated under Minister of Health Regulation no. 168/Menkes/Per/11/2005, before the issuance of Import Notification Letter and Export Notification Letter by Department of Health.
 - National Narcotic Board and INP are responsible for providing recommendation on the application of import of non-pharmacy precursors before the issuance of Import Notification Letter by Department of Trade as regulated under the Minister of Industry and Trade Decree no. 647/MPP/Kep/10/2004.
 - Pre-Export Notification from exporting country, as information on legality of precursors to be exported, is received by the NNB and be followed up by Department of Health and Department of Trade.
 - Directorate General of Custom and Excise is responsible for controlling import-export traffic.
 - Sucofindo and PT. Surveyor Indonesia are responsible for examining goods in the port of origin and port of destination.
 - Importer and exporter are obliged to make a report on its importation and exportation of precursors at the latest of 7 days after shipping to institution which issued the Import and Export Notification.
 - National institutions involving in the control of precursors are responsible for sending annual report on importation and exportation including the number of precursors, country of origin and destination and the use of precursors to the INCB.
- b. Control of production and distribution of precursors:
 - Evaluation on monthly report data from importer, exporter, and consumer industry consisting of production, consumption and distribution by competent institutions such as National Agency of Drug and Food Control, Department of Industry; Department of Health and Department of Trade.

- Examination, audit, and investigation on pharmaceutical importer, exporter and pharmaceutical industry conducted by National Agency of Drug and Food Control are related to the realization of the use of precursors according to the Import Notification Letter and to acquire data on the existence of the diversion of precursors by NNB and INP joint investigation.
Investigation by Department of Industry, NNB, and INP to importer, exporter and chemical industry to get information on the realization of precursor need compare to recommendation provided.
- Responsibility of pharmaceutical and chemical industry to notify and report their activities related to precursors.

c. Control of precursors through, national legislation

In accordance with article XX (General Exception) and article XXI (Security Exception) of the WTO regulation, each member country may execute import regulation to commodities which bring negative impacts to health, safety, security, environment and morality. Therefore, Indonesian government through the Department of Trade and Department of Health established regulations on the importation and exportation of precursors which adopted provisions of the Convention on Psychotropic Substances 1971 and the ON Convention on Combating Narcotic and Psychotropic Illegal Distribution 1988, as follows:

- 1) Minister of Trade of the Republic of Indonesia Decree No.647/MPP/Kep/10/2004 on the importation of precursors
- 2) Minister of Health of the Republic of Indonesia Decree No. 168/Menkes/Per/II/2005 on Precursor for Pharmacy
- 3) Minister of Trade Regulation No. 01/M-Dag/Per/I/2007 on the importation of precursors
- 4) Minister of Trade Regulation No. 01/M-Dag/Per11/2007 on the Amendment the Annex of the Minister of Trade Decree No.558/MMP/Kep/12/1988 on General Guidelines of Exportation as Amended by the Minister of Trade Regulation No.07/M-Dag/Per/4/2005.

Above regulations set up guidelines on the issuance of import/export license; verification and technical investigation of export/import by surveyor in the port of origin and port of destination; imposing sanction. starts from a warning to revocation of license; obligation of importer/exporter to submit reports and data; and obligation to store and control precursor properly. In addition, BNN is authorized to issue Pre Export Notification (PEN) as agreement declaration of the export of precursor to be submitted to authorized institution/ bodies in export destination countries. The regulations are aimed at preventing the abuse of precursor, minimizing illicit distribution of precursors and providing legal protection to community-and preventing diversification of precursors into illicit drugs.

In 2007, a joint inter-departmental meeting, spearheaded by the Ministry of Health and Department of Law and Human Rights has concluded a draft governmental regulation on precursor control. This draft governmental regulation has been submitted to Secretariat Office of the President pending the final approval of the President. This draft government regulation will

further strengthen the national framework and mechanism for precursor control.