

COMMISSION ON NARCOTIC DRUGS

REPORT ON THE NINTH SPECIAL SESSION

(10-14 February 1986)

ECONOMIC AND SOCIAL COUNCIL

OFFICIAL RECORDS, 1986

SUPPLEMENT No. 3



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CHAPTER I

MATTERS REQUIRING ACTION BY THE ECONOMIC AND SOCIAL COUNCIL

A. Draft resolutions

1. At its ninth special session, the Commission on Narcotic Drugs recommended to the Economic and Social Council the adoption of the following draft resolutions:

I

Strengthening of the control of international trade in secobarbital, a psychotropic substance listed in Schedule III of the 1971 Convention

The Economic and Social Council,

Recalling that the International Narcotics Control Board in its report for 1984 (E/INCB/1984/1) recommended - and that the Commission on Narcotic Drugs supported the recommendation - that additional voluntary action should be undertaken by Governments to supplement the impact of the controls which the 1971 Convention on Psychotropic Substances imposes upon substances listed in Schedules III and IV,

Recalling also, in that connection, Economic and Social Council resolution 1985/15,

Noting with deep concern the increasing flow of diverted secobarbital into both industrialized and developing countries,

Recognizing that the present controls over the import and export of secobarbital ought to be made stronger to further prevent its diversion,

Considering that the import and export data on secobarbital currently being provided to the International Narcotics Control Board are incomplete,

1. Urges all Governments to extend the system of import and export authorizations provided for in article 12, paragraph 1, of the 1971 Convention to cover international trade in secobarbital and other Schedule III substances, to the extent consistent with their domestic laws (as previously requested by the Economic and Social Council in its resolution 1985/15);

2. Stresses the importance of all Governments voluntarily providing to the International Narcotics Control Board, to the extent possible, complete reports on trade in secobarbital and other Schedule III substances;

3. Requests all importing countries, to voluntarily furnish to the International Narcotics Control Board, to the extent possible, estimates of annual medical and scientific needs for secobarbital;

4. Further requests Parties to the Convention to notify all the other Parties, through the Secretary-General, as provided for in article 13 of the 1971 Convention, if they prohibit the import of one or more substances listed in Schedule III;

5. Invites Governments of exporting countries to consult the International Narcotics Control Board before authorizing shipments of secobarbital and other Schedule III substances, whenever questions arise as to

III

Report of the Commission on Narcotic Drugs

At its _____ plenary meeting, on _____ 1986, the Council took note of the report of the Commission on Narcotic Drugs on its ninth special session.

CHAPTER II

PREPARATION OF A DRAFT CONVENTION AGAINST ILLICIT TRAFFIC IN NARCOTIC DRUGS

5. At its 968th and 970th meetings, on 10 and 11 February 1986, the Commission considered agenda item 3. It had before it a report by the Secretary-General entitled "Comments and proposals received from Governments concerning a draft convention on illicit traffic in narcotic drugs and psychotropic substances" (E/CN.7/1986/2, and Corr. 1 and 2, and Add. 1-3), a note by the Secretary-General on follow-up action to General Assembly resolution 39/141 (E/CN.7/1986/3) and a written statement from the Inter-Parliamentary Union, a non-governmental organization in consultative status with the Economic and Social Council (E/CN.7/1986/NGO/1).

6. The Commission was informed of General Assembly resolution 40/120 of 13 December 1985 entitled "Preparation of a draft convention against illicit traffic in narcotic drugs and psychotropic substances" by which the Economic and Social Council was requested, "in accordance with General Assembly resolution 39/141 and resolution 1(XXXI) of the Commission on Narcotic Drugs, to instruct the Commission to decide, following the consideration of the report of the Secretary-General during its ninth special session, on those elements which could be included in the convention and to request the Secretary-General to prepare a draft on the basis of those elements, and to submit a progress report, including completed elements of the draft, to the Commission for consideration at its thirty-second session". The Commission was further requested by the General Assembly "to report to the Economic and Social Council at its first regular session of 1986 on the results achieved in this respect during its ninth special session".

7. The Commission was subsequently informed that, at its organizational session, the Council, by decision 1986/113 of 7 February 1986, had requested the Commission to proceed along the lines set forth in General Assembly resolution 40/120. The present chapter accordingly constitutes the report to the Economic and Social Council, at its first regular session of 1986, on the results achieved during the ninth special session.

8. The urgent need for an instrument dealing specifically with illicit traffic was generally recognized by the Commission. The existing drug control treaties did not deal effectively with a problem which had assumed the dimensions of a world-wide threat to the health and well-being of peoples as well as to the social fabric and the structure of society. Representatives of countries not directly affected nevertheless expressed themselves in favour of strengthening international co-operation to combat this evil and supported the conclusion of a new instrument to that effect. At the same time, several speakers underlined the primary importance of effective socio-economic and other measures at the national level to prevent drug abuse and trafficking.

9. Several representatives and observers spoke of the measures adopted by their Governments to intensify the struggle against drug abuse and trafficking within their borders. Crop eradication programmes, the improvement of law enforcement and security, as well as preventive education and community resource development, were cited as of particular relevance in this endeavour. The reduction of the demand for illicit drugs in consuming countries was also said to constitute an important factor in discouraging production in the countries concerned. The value of bilateral agreements and regional arrangements was also emphasized. Such agreements were said to be particularly effective when concluded between States having a similar approach to the problem.

10. Many representatives and observers commended the Secretary-General on a comprehensive report. Prepared on the basis of a systematic analysis of the comments received from 46 Governments, supplemented as necessary from other relevant sources, it clearly identified and categorized elements which could be considered for inclusion in the draft convention. It revealed a significant measure of agreement among Governments as to the elements which it would be desirable to include in the draft convention, and contained enough substance to assist in the drafting.

11. Several representatives emphasized that the new instrument should not duplicate the provisions of, or derogate from the obligations in, the Conventions already in force, but concentrate on concrete and innovative elements complementary in substance and closely linked to the existing drug control treaties. It should also be formulated in such a way that its provisions would be acceptable to the greatest possible number of States, thus facilitating universal adherence. To that end, provisions should, as much as possible, be compatible with the various constitutional and legal systems and consistent with the generally accepted principles of criminal law; in that connection, the choice which might have to be made between obligatory provisions and recommendations on certain issues would be a matter for serious consideration at the appropriate stage. Respect for the sovereignty of States should be ensured.

12. Regarding the form which the new instrument should ultimately take, some representatives said, moreover, that the amendment of the existing Conventions by way of protocols might offer a more practical solution than the adoption of a new convention; a further critical analysis on that point would be advisable before taking a final decision.

13. The actual drafting of the new instrument would represent a complex undertaking requiring high-level expertise. The concrete elements agreed upon for inclusion had to be carefully formulated in meaningful and balanced legal terms. In that connection, one representative suggested that it might be helpful if, at some stage in the process, experts from States members of the Commission could have a look at the draft which the Secretary-General was requested to prepare in compliance with General Assembly resolution 40/120. Another representative proposed that the Secretary-General should be requested to invite interested member Governments to send experts who would comprise an open-ended working group to assist the Secretary-General in drafting the new convention. One representative considered that it would be of benefit if law enforcement and customs experts of national services and international organizations were involved in finalizing the draft.

14. Many representatives and observers expressed firm support for the inclusion in the new convention of the elements grouped under category A in the report of the Secretary-General (E/CN.7/1986/2 and Add.1-3), on the understanding that those which were of a sensitive nature and had delicate legal implications should be handled with utmost care at the drafting stage.

collective responsibility of States affected by illicit production and demand, as well as the transit States, in combatting the illicit transit traffic.

25. Several representatives and observers supported the inclusion of provisions allowing for appropriate intervention on the high seas in cases of illicit drug traffic. Improved co-operation and bilateral and regional agreements in this field should also be encouraged. Some representatives pointed out that provisions in the new instrument should be in conformity with those of the United Nations Convention on the Law of the Sea (1982).

26. Some representatives and observers mentioned other elements in category B which, in their opinion, would be worthy of further consideration for inclusion in the convention:

- Denial of passports and travel documents
- Crop eradication
- Control of drugs and chemicals in free trade zones and ports
- Data collection
- International transfer of drug samples for evidentiary or analytical purposes
- Definition of illicit traffic and related activities
- Destruction of seized drugs

One representative was of the opinion that prevention of illicit drug cultivation should be added to the element on crop eradication.

27. The importance was stressed of drawing up a carefully worded set of definitions of illicit traffic and related activities. The definitions should be neither too vague nor too precise, to avoid legalistic escapes or disputable interpretation.

28. One observer expressed disappointment that his Government's suggestion for the inclusion of a provision on the reduction of licit stocks of opiate raw materials had been categorized as an additional measure, and hoped that it would find a suitable place in the convention.

29. Several representatives and observers reiterated their Governments' strong opposition to the inclusion of the following elements grouped in category C:

- Qualification of illicit traffic as a crime against humanity
- Imprescriptibility of trafficking offences
- Creation of an international criminal tribunal
- Establishment of a new assistance fund
- Compulsory jurisdiction of the International Court of Justice

30. As regards imprescriptibility, one representative said that this might apply in exceptional cases, provided certain criteria were met regarding the quantity of drugs involved and the degree of social danger.

31. A representative of the Centre for Social Development and Humanitarian Affairs informed the Commission of developments at the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Milan in August-September 1985. In two of its resolutions, dealing specifically with illicit drug trafficking, the Congress had recommended several substantive elements for inclusion in the new convention. (These are listed in paragraph 10 of document E/CN.7/1986/2/Add.1). In another resolution, on organized crime, the Congress had called on member States to provide for the forfeiture of illegally acquired assets. The Committee on Crime Prevention and Control would follow-up on the results of the Seventh Congress at its forthcoming session in March 1986.

32. At its 976th meeting, on 14 February 1986, the Commission adopted by consensus, as orally amended, a draft resolution entitled "Guidance on the drafting of an international convention to combat drug trafficking" (E/CN.7/1986/L.5), sponsored by Argentina, Australia, Canada, China, Colombia, Denmark, Egypt, Finland, France, Germany, Federal Republic of, Italy, Madagascar, Malaysia, Morocco, Norway, Pakistan, Spain, Sri Lanka, Sweden, Thailand, Turkey, United Kingdom, United States, Venezuela and Yugoslavia. (For the text of this resolution, see chapter X,A, resolution 1 (S-IX). For the financial implications, see annex II.)

CHAPTER III

CONSIDERATION OF RECOMMENDATIONS RECEIVED FROM SUBSIDIARY BODIES DEALING WITH THE ILLICIT TRAFFIC AND PREPARATIONS FOR AN INTER-REGIONAL MEETING OF HEADS OF NATIONAL DRUG LAW ENFORCEMENT AGENCIES

A. Recommendations from subsidiary bodies

33. At its 971st meeting, on 12 February 1986, the Commission considered agenda item 7(c). It had before it a note by the Secretary-General entitled "Recommendations from subsidiary bodies concerning the illicit traffic" (E/CN.7/1986/9).

34. The Chairman of the Sub-Commission on Illicit Drug Traffic and Related Matters in the Near and Middle East introduced the recommendations adopted by the Sub-Commission at its twentieth and twenty-first sessions (E/CN.7/1986/9 and E/CN.7/1986/CRP.9). The Governments of member States in the Near and Middle East continued to concentrate on identifying and eradicating any remaining sources of supply of illicit opium and heroin. International support would be necessary to enable the Division and the Sub-Commission to respond to an offer from the Islamic Republic of Iran to provide aircraft and other facilities to undertake aerial photography in that Republic; this might lead, eventually, to a system of satellite monitoring for the States in the region.

35. Several representatives commended the Sub-Commission on its fruitful and productive work and supported its recommendations, which were designed to enable this work to continue. They noted that aerial survey models had already been successfully developed in Mexico, Pakistan and Turkey. The Commission, they said, should continue to support the activities of the Sub-Commission. UNFDAC should also consider ways to provide the support that the Sub-Commission had requested.

36. Regarding the recommendations made by the Sub-Commission at its twenty-first session, the Deputy Executive Director of UNFDAC said that UNFDAC was always willing to receive either earmarked or non-earmarked contributions and would be glad to receive greater contributions to support work in the area of the Sub-Commission. UNFDAC was particularly interested in the possibility of supporting aerial surveys, and possibly satellite surveys, along the lines suggested by the Sub-Commission.

37. At its 975th meeting, on 14 February 1986, the Commission approved by consensus a draft decision entitled "Assistance to identify any illicit opium poppy cultivation in the area of the Sub-Commission on Illicit Drug Traffic

and Related Matters in the Near and Middle East" (E/CN.7/1986/L.9), submitted by the secretariat at the request of the Commission. (For the text of this decision, see chapter X, B, decision 18 (S-IX).

B. Preparations for interregional HONLEA meeting

38. At its 971st meeting, on 12 February 1986, the Commission considered agenda item 4: "Follow-up action to General Assembly resolution 39/143 of 14 December 1984, entitled 'International campaign against traffic in drugs'", and had before it a note by the Secretary-General (E/CN.7/1986/4). The Commission also considered General Assembly resolution 40/121 of 13 December 1985, also entitled "International campaign against traffic in drugs" in which the Assembly referred to the decision to hold an interregional meeting of Heads of National Drug Law Enforcement Agencies (Interregional HONLEA), at Vienna, from 28 July to 1 August 1986.

39. The Commission addressed in particular paragraph 7 of resolution 40/121, in which the Assembly recommended that it advise the Interregional HONLEA to examine in depth the most important aspects of the drug trafficking problem, "...especially those that would enhance bilateral and multilateral efforts, in particular the preparation of a draft convention ... and the proposed world conference at the ministerial level ... , and to recommend actions on, inter alia:

(a) Extradition;

(b) Mechanisms which would enhance interregional co-ordination and co-operation on a permanent basis;

(c) Modalities of ensuring rapid and secure means of communication between law enforcement agencies at the national, regional and international levels;

(d) Techniques of controlled delivery;

(e) Measures to reduce the vulnerability of States affected by the transit of illicit drugs;"

40. The Commission also took into account items which the twelfth HONLEA meeting had suggested might be considered at the the Interregional HONLEA (E/CN.7/1986/9), as well as the reports of the Expert Group on Cocaine and Heroin Analysis and Recommended Methods of Testing (E/CN.7/1986/11/Add.2) and the Expert Group on Countermeasures to Drug Smuggling by Air and Sea (E/CN.7/1986/11/Add.3).

41. Regarding items which might be included in the provisional agenda for the Interregional HONLEA, many representatives and observers emphasized the need to identify the problems of transit States and ways to help to overcome them. In a fluctuating situation, where trafficking routes and areas of illicit supply and demand changed frequently, it was essential to improve communications, not only within the territory of States, but also at the sub-regional, regional and interregional levels.

42. Most representatives and observers emphasized that the acquisition, operation and maintenance of telecommunications networks and other aids to improved enforcement were frequently beyond the capacity of national budgets and asked for more technical or financial support from the United Nations.

43. A number of representatives and observers suggested that the links between drug trafficking and other organized criminal activity be an item on the provisional agenda of the Interregional HONLEA meeting. The subject could usefully be addressed in conjunction with further development of techniques to ensure the tracing, freezing and forfeiture of the proceeds of drug crimes - proceeds which were being used by organized crime to expand and diversify its criminal activities.

44. Many representatives and observers spoke of the value of the technique of controlled delivery, and particularly "clean" controlled delivery, and suggested that this be further examined by the interregional meeting, possibly on the basis of the documentation produced by the Customs Co-operation Council (CCC) subsequent to a seminar organized in Brussels with the support of the International Criminal Police Organization (ICPO/Interpol), the Division of Narcotic Drugs and the United Nations Fund for Drug Abuse Control (UNFDAC).

45. A number of representatives and observers stressed the importance of ensuring that the Interregional HONLEA address the work that had already been done to identify elements for inclusion in a new convention and to take full account of the Commission's deliberations on this subject during its ninth special session; the technical comments and advice of participants at the Interregional HONLEA would be of particular value to the Commission at its thirty-second session.

46. A number of representatives said that the Interregional HONLEA should be encouraged to contribute towards the general mobilization of all relevant agencies and the public as a whole, in support of more effective action in order to stop the trafficking groups' efforts to expand their circle of influence, whether by using their considerable financial profits for corruption, by intimidation or otherwise.

47. The Interregional HONLEA should also consider new approaches which might be effective against the illicit traffic, including greater concentration, for instance, on measures to prevent laundering the proceeds of drug crimes. The determined pursuit of existing measures should not, however, be overlooked. One of the most important measures, which had achieved success in a number of States, was the precise identification of areas where the illicit cultivation of opium poppy, the cannabis plant or the coca bush took place. This should be followed up by eradication of illicit crops. It was essential to achieve such identification and eradication, and also to ensure that control mechanisms were put in place to prevent any attempts at renewed illicit cultivation.

48. A number of representatives and observers stressed the need for the development of a harmonized training policy and training standards in order to ensure that concerned personnel in all drug law enforcement agencies, including immigration, coastguards and airport and seaport police, were enabled to apply existing legislation to maximum effect and to make the best use of newly developed drug law enforcement techniques or technical aids. This was a long-term endeavour which would require consistent monitoring and evaluation and probably the allocation or reallocation of additional resources within all agencies concerned, and especially, at international level, by the CCC, ICPO/Interpol and the Division of Narcotic Drugs.

49. Many representatives and observers stressed the importance of achieving closer control over specific precursors, chemicals and solvents diverted for use in the illicit manufacture of narcotic drugs and psychotropic substances. Some described measures already taken at the national level in the spirit of Economic and Social Council resolution 1985/12: "Measures

against the diversion in international commerce of specific precursors, chemicals and solvents used in the illicit manufacture of narcotic drugs and psychotropic substances".

50. At its 976th meeting, on 14 February 1986, the Commission approved by consensus a draft decision entitled "Provisional agenda of Interregional HONLEA" (E/CN.7/1986/L.8). (For the text of this decision, see chapter X, B, decision 19 (S-IX).)

CHAPTER IV

IMPLEMENTATION OF THE INTERNATIONAL TREATIES ON THE CONTROL OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

51. At its 969th meeting, on 11 February 1986, the Commission considered agenda item 5. It had before it a note by the Secretary-General concerning notifications received from the World Health Organization (WHO) on the scheduling of 17 substances and on the termination of a number of exemptions of preparations granted by France and the United States (E/CN.7/1986/5), and a note on the draft revised annual reports questionnaire (E/CN.7/1986/CRP.5).

A. Consideration of recommendations for scheduling under the 1971 Convention on Psychotropic Substances

52. The 17 notifications from WHO recommended (a) that the seven substances cathinone, 2,5-dimethoxyamphetamine (DMA), paramethoxyamphetamine (PMA), 3,4,5-trimethoxyamphetamine (TMA), 2,5-dimethoxy-4-ethylamphetamine (DOET), 5-methoxy-3,4-methylenedioxyamphetamine (MMDA), and 3,4-methylenedioxy-methamphetamine (MDMA), should be included in Schedule I of the 1971 Convention on Psychotropic Substances; (b) that the four substances cathine, fenetylline, levamphetamine, and levomethamphetamine should be included in Schedule II of that Convention; and (c) that the six substances N-ethylamphetamine, fencamfamin, fenproporex, mefenorex, propylhexedrine and pyrovalerone should be included in Schedule IV of that Convention.

53. Document E/CN.7/1986/5 also contained summaries of comments received by the Secretary-General from Governments relevant to the possible scheduling of the 17 substances, as well as a substance-by-substance summary, as requested by the Economic and Social Council in its resolution 1984/23. The representative of WHO made a statement concerning that Organization's recommendations.

54. A number of representatives said that they favoured bringing the substances under international control, although some were in favour of placing certain of the substances under a schedule other than that recommended by WHO, or of not submitting them to any international control.

55. Before proceeding to vote on the 17 proposals, the Commission noted that, under the provisions of article 17, paragraph 2, of the 1971 Convention, a substance could be included in a schedule only by a vote of at least 27 in favour.

56. The Commission first considered the seven substances which WHO recommended be included in Schedule I.

57. The voting was as follows:

<u>Substance</u>	<u>For</u>	<u>Against</u>	<u>Abstention</u>
Cathinone	29	none	4
2,5-dimethoxyamphetamine (DMA)	33	none	2
Paramethoxyamphetamine (PMA)	35	none	none
3,4,5-trimethoxyamphetamine (TMA)	34	none	1
2,5-dimethoxy-4-ethylamphetamine (DOET)	34	none	1
5-methoxy-3,4-methylenedioxyamphetamine (MMDA)	34	none	1
3,4-methylenedioxymethamphetamine (MDMA)	35	none	none

58. The Commission therefore decided to include the seven substances in Schedule I of the 1971 Convention.

59. The Commission next considered the four substances recommended by WHO for inclusion in Schedule II. The representative of the United States proposed an amendment, to place cathine in Schedule IV. In explaining this proposed amendment, and the others that followed, the representative stated that data presented on abuse, trafficking and other issues did not warrant the level of control recommended by WHO. By a vote of 14 in favour, 19 against and 2 abstentions, the amendment was rejected. The Commission then proceeded to vote on the original proposal. By a vote of 23 in favour, 4 against and 7 abstentions, the proposal was rejected. The representative of the United States, citing rule 55 of the Rules of Procedure, suggested that the Commission reconsider the proposal. The representative of Hungary proposed that cathine be included in Schedule III. By a vote of 32 in favour, one against and 3 abstentions, the Commission decided to include cathine in Schedule III. The Commission next considered fenetylline. The representative of the Federal Republic of Germany proposed an amendment, to place fenetylline in Schedule III. By a vote of 3 in favour, 28 against and 3 abstentions, the amendment was rejected. The Commission then considered the initial proposal and, by a vote of 31 in favour, none against and 5 abstentions, decided to include fenetylline in Schedule II. The Commission next considered including levamphetamine in Schedule II. The representative of the United States proposed an amendment, to include levamphetamine in Schedule III. By a vote of one in favour, 30 against and 3 abstentions, the proposal was rejected. The Commission then voted on the original proposal and, by a vote of 34 in favour, none against and 3 abstentions, decided to include levamphetamine in Schedule II. The Commission then considered the proposal to include levomethamphetamine in Schedule II. The representative of the United States proposed an amendment, to include this substance in Schedule III. By a vote of one in favour, 31 against and one abstention, the proposal was rejected. The Commission then considered the original proposal and, by a vote of 33 in favour, none against and 2 abstentions, decided to include levomethamphetamine in Schedule II.

60. The Commission then considered the recommendation to include six substances in Schedule IV: N-ethylamphetamine, fencamfamin, fenproporex, mefenorex, propylhexedrine and pyrovalerone. The representative of the United States cited a lack of sufficient data on abuse and illicit traffic with respect to both propylhexedrine and pyrovalerone to warrant the controls imposed by scheduling. The result of the voting was as follows:

<u>Substance</u>	<u>For</u>	<u>Against</u>	<u>Abstention</u>
N-ethylamphetamine	30	none	3
Fencamfamin	29	none	4
Fenproporex	33	none	3
Mefenorex	33	none	3
Propylhexedrine	27	1	7
Pyrovalerone	27	2	7

61. The Commission therefore decided to include the six substances in Schedule IV of the 1971 Convention.

62. For the text of the formal decisions drafted by the Secretariat at the request of the Commission to reflect the results of the votes on all 17 substances, see chapter X, B, decisions 1 (S-IX)--17 (S-IX).

63. At its 973rd meeting, on 13 February 1986, the Commission adopted, by consensus, a draft resolution entitled "Commendation of World Health Organization procedures for the review of dependence-producing psychoactive substances for international control under the international drug control conventions" (E/CN.7/1986/L.3), sponsored by Belgium, Canada, China, Finland, Germany, Federal Republic of, Hungary, Malaysia, Mexico, Netherlands, Nigeria, Norway, Thailand, United States, USSR and Venezuela. (For the text of this resolution, see chapter X, A, resolution 2 (S-IX).

64. At its 973rd meeting, on 13 February 1986, the Commission adopted by consensus, as orally amended, a draft resolution entitled "Strengthening of the control of international trade in secobarbital, a psychotropic substance listed in Schedule III of the 1971 Convention" (E/CN.7/1986/L.4), sponsored by Canada, Germany, Federal Republic of, Nigeria and United States. (For the text of this draft resolution, see chapter I, A, draft resolution I).

B. Consideration of recommendations for termination of exemptions of preparations under the 1971 Convention on Psychotropic Substances

65. The Commission also had before it in document E/CN.7/1986/5 two notifications from WHO recommending the termination of a number of exemptions of preparations granted by France and the United States under the provisions of article 3 of the 1971 Convention. The Commission noted that a majority of at least 27 affirmative votes was required to approve such a recommendation, under the terms of article 17 of the Convention.

66. The Commission considered the WHO proposal to terminate 19 exemptions granted by the United States. By a vote of 20 in favour, none against and 10 abstentions, the Commission rejected the WHO proposal.

67. The Commission next considered the WHO proposal to terminate 42 exemptions granted by France. Several representatives, including the representative of WHO, made statements. Following a proposal by the representative of France, the Commission decided to vote separately on 12 preparations and to consider the other 30 later. By a vote of 19 in favour, none against and 13 abstentions, the Commission rejected the proposal to terminate the exemption of the 12 preparations.

68. At its 973rd meeting, on 13 February 1986, the Commission considered the recommendation by WHO for the termination of the exemption of the 30 preparations which it had deferred from its 969th meeting. Statements were made by several representatives, including the representative of WHO. By a vote of 10 in favour, none against and 26 abstentions, the Commission rejected the proposal to terminate the exemption of the 30 preparations.

69. At its 975th meeting, on 14 February 1986, the Commission adopted, by consensus, a draft resolution entitled "Exemption of preparations" (E/CN.7/1986/L.7), sponsored by Australia, Belgium, Bulgaria, Canada, Egypt, Finland, France, German Democratic Republic, Germany, Federal Republic of, Hungary, Madagascar, Nigeria, Norway, Thailand, United States, USSR and Yugoslavia. (For the text of this resolution, see chapter X, A, resolution 3 (S-IX).)

C. Review of annual reports questionnaire

70. The Commission had before it in document E/CN.7/1986/CRP.5 a note by the Secretary-General concerning the review of the annual reports questionnaire. A revised draft of the questionnaire, which had been in use since 1975, had been circulated to all Governments in 1985 for comments. A number of Governments had expressed satisfaction with the revised form, but some reservations were expressed concerning its complexity. Several Governments had already submitted information in the proposed format. Two representatives said the draft revised questionnaire was indeed too complex; there was a need to simplify it before resubmitting it to the Commission for consideration at its thirty-second session.

71. At its 969th meeting, on 11 February 1986, the Commission decided, by consensus, to use the draft on a trial basis, for the collection of data relating to annual reports for 1985. It instructed the Secretariat to prepare an accompanying note clearly explaining the reasons for the trial use. (For the text of the relevant decision, see chapter X, B, decision 20 (S-IX).)

CHAPTER V

REPORT OF THE INTERNATIONAL NARCOTICS CONTROL BOARD

A. Report for 1985

72. At its 968th, 972nd and 973rd meetings, on 10, 12 and 13 February 1986, the Commission considered agenda item 6. It had before it the report of the International Narcotics Control Board for 1985 (E/INCB/1985/1), a supplementary report on "Supply and demand of opiates for medical and scientific purposes" (E/INCB/1985/1/Supp.), and a note by the Secretary-General (E/CN.7/1986/6).

73. Introducing the report, the President of the International Narcotics Control Board presented the Board's overall assessment of the world situation. The abuse of a variety of drugs remained at a high level and in some States was escalating, creating major public health problems. Multiple drug use, frequently in combination with alcohol, new and more potent drugs, and more dangerous means of drug-taking all compounded the problems. The prospects for further deterioration were ominous. A growing number of States encountered illicit cultivation and production of drugs. In some regions a close connection existed between drug trafficking and other major criminal activity which tended to undermine the economic and social order, to spread violence and corruption, and in some cases to jeopardize national political security and stability.

74. The adoption of more collective and vigorous countermeasures on the basis of strengthened political will on the part of more Governments had nevertheless resulted in progress in 1985. This applied to, inter alia: joint enforcement operations, including the eradication of illicit cultivation, and the imposition of tighter controls on chemicals and solvents for illicit manufacture, notably of heroin and cocaine. The Board welcomed proposals to facilitate extradition and to strengthen legislation to ensure the seizure of traffickers' illicitly acquired assets.

75. The Board also welcomed the growing involvement of public and community leaders in preventing and reducing drug abuse and also a number of new initiatives to fight all aspects of drug abuse adopted over the last two years. These initiatives had been accompanied by an expansion in the number of Parties to the 1961 and 1971 Conventions. Adherence to the former Convention was now nearly universal; it could be hoped that universal adherence to the international regime for psychotropic substances would soon be achieved. That regime continued to function satisfactorily with regard to narcotic drugs. The closer monitoring which was now possible over the international trade in substances in Schedule II of the 1971 Convention, as a result of voluntary data submitted by Governments to the Board, revealed more and more attempts at diversion; methaqualone, secobarbital and fenetylline were the three substances most widely diverted from manufacture. More vigilance was needed at all stages of the export/import chain. Particular attention was also drawn to barbiturates controlled under Schedules III and IV of the Convention. Careful monitoring was also required of a newly detected trend to misuse poppy straw; the problem of bringing Papaver bracteatum under international control also merited attention.

76. The President of INCB drew attention to the so-called "designer drugs": controlled substance analogues. International action might be necessary to prevent a fashion involving clandestine manufacture and abuse of these analogues from emerging. Additional action was certainly desirable to prevent the rediversion into the illicit market of seized materials. This could be overcome by timely disposal of seized drugs, possibly following amendments to national laws to permit small certified samples to be admitted as evidence in judicial proceedings of total seizures.

77. Many representatives and observers complimented INCB on a well-balanced and comprehensive report. They applauded the evidence of even closer co-operation provided by the involvement of staff of INCB and UNFDAC in preparations for the International Conference on Drug Abuse and Illicit Trafficking (ICDAIT). Several supplemented the information on the situation in their States which had been provided in the INCB report.

78. A number of representatives and observers emphasized the importance of epidemiological surveys designed to determine the precise nature and extent of drug abuse. UNFDAC might usefully consider providing more support for low-cost epidemiological surveys of this kind as the basis on which measures to prevent and reduce drug abuse could be more effectively planned.

79. Several representatives and observers suggested that one means of dealing with the phenomenon of "designer drugs" was to increase monitoring over specific precursors and chemicals which were essential to their manufacture. This, however, could only be achieved on the basis of mechanisms which would enable rapid, secure and accurate exchanges of information to take place.

80. Several representatives stressed the need for constant evaluation of the impact of preventive and other measures which had been taken. Some said that the root of the problem was the illicit production of narcotic raw material and illicit or excessive manufacture. Others spoke of the need for more research on the basis of which measures to prevent and reduce drug abuse could be undertaken.

81. Many representatives and observers explained legislative, administrative and other measures which had been taken nationally, regionally and interregionally to counter the wide range of problems arising from illicit traffic and drug abuse. Some described means by which traffickers' illegally acquired assets, once seized, were being used to support increased drug law enforcement or preventive and treatment programmes.

82. Several observers referred to the need to collect data on the use of psychoactive substances, whether controlled or not; this type of drug utilization research, which had been mentioned during the Commission's thirty-first session, might usefully be further pursued.

83. Several representatives and observers drew attention to the importance of a well-functioning social network as a means of preventing and reducing drug abuse, especially among children and young persons. Such a network should, of course, form part of a co-ordinated approach involving all concerned agencies of Government, as well as non-governmental organizations.

84. A number of representatives spoke of the use of heroin for other than exclusively scientific purposes. Some suggested that the risk of diversion outweighed any possible medical benefits. Others described the controls that were in place to prevent any diversion. A number of representatives and observers expressed concern at the growing traffic in cocaine, based apparently on unrestricted or sometimes even expanding illicit cultivation of the coca bush. In this and other contexts, many stressed the need for more States to ratify and fully implement the provisions of the existing drug control treaties.

85. The President of INCB expressed appreciation for the affirmative reception given to the report. She looked forward to a continuation of the active and frequent dialogues with Governments and with other organizations concerned with work against drug abuse and the illicit traffic on the basis of which progress had been, and would continue to be, achieved through sustained collective efforts.

B. Supply and demand of opiates for
licit medical and scientific purposes

86. Regarding the supply and demand of opiates for licit medical and scientific purposes, the Commission had before it a special report of the INCB (E/INCB/1985/1/Supp.), together with the report of an Expert Group Meeting on the Reduction of Excessive Stocks of Licit Opiate Raw Materials (E/CN.7/1986/11/Add.1).

87. The President of INCB said that the special report had been prepared in response to a request by the Economic and Social Council in its resolution 1984/21. Global supply and demand had been approximately in balance since 1980. There was a residual problem of abnormally high stocks of both opium and poppy straw - a problem accentuated by the fact that, since 1974, demand for opiates had levelled out at approximately 190 tons of morphine equivalent per year.

88. The representative of the United States said that the two traditional supplier countries, India and Turkey, had the support of his Government in commercial transactions relating to the supply of licit opiates for medical and scientific purposes. That support was essential. Moreover, it was necessary to adequately recognize the legitimate interests of all concerned. The representative noted that the United States also had commercial relations with Australia in that area, which it intended to continue.

89. The representative of India stated that areas of licit poppy cultivation in his country had been sharply reduced. They had amounted to only 24,300 hectares in 1985. The imposition of this absolute minimum area of cultivation had caused serious socio-economic problems, however. The present situation had not been caused by the traditional supplier countries, India and Turkey. The international community, including the Commission itself,

must bear a heavy responsibility. He drew attention to the proceedings of the Commission at its third special session, in 1974, where the basic issue was a shortage of codeine (E/5458-E/CN.7/565, chapter VIII). By 1978, the problem of over-supply was already apparent and had been exacerbated by the entry into the market of non-traditional producers. The traditional suppliers had progressively reduced production after 1978, but the damage had already been done. The Government of India, because of accumulated stocks, was now paying Rps. 50 million per year in interest charges alone.

90. The representative of Australia recalled that Australia had become a supplier of licit opiates in the early 1970s, in response to unique circumstances at that time. Supplies of licit opiates from the two traditional supplier countries were not necessarily interchangeable with those from Australia, however. If Australia's position and capacity to export were changed, experience showed that the traditional suppliers would not necessarily benefit. He did not consider that the genuine problems of India and Turkey could be solved at the expense of Australia, an efficient producer which observed the Convention. An in-depth study, taking account of all the complex factors involved, was highly desirable; the recommendations of the expert group which had met in 1985 should be given full consideration. The representative of Mexico also suggested that the conclusions and recommendations of two expert groups which had met on the subject, under the auspices of the Commission, should be further studied.

91. Some representatives urged rational solutions which would take into account the special position of developing countries. They also drew attention to the need to prevent the accumulation of excessive stocks. One representative urged that problems should be resolved amicably through discussion. A number of representatives stated that they considered support for the traditional supplier countries to be of continuing importance, as expressed in a long series of Economic and Social Council resolutions on the subject.

92. The representative of Turkey stated that his Government shared the views of the representative of India on this matter. International solidarity and co-operation were the key factors in the search for a solution and a lasting balance between supply and demand. Turkey had carried more than its fair share of the burden of re-establishing this balance. He urged that economic and commercial interests should not take precedence over the fundamental need for international co-operation.

93. At its 973rd meeting, on 13 February 1986, the Commission adopted, by a vote of 23 in favour, none against and 15 abstentions, a draft resolution entitled "Demand and supply of opiates for medical and scientific needs" (E/CN.7/1986/L.2/Rev.1), sponsored by India, Iran (Islamic Republic of), Madagascar, Sri Lanka, Turkey and USSR. (For the text of this draft resolution, see chapter I,A, draft resolution II.)

CHAPTER VI

INTERIM REPORT OF THE UNITED NATIONS FUND FOR DRUG ABUSE CONTROL

94. At its 967th, 973rd and 974th meetings, on 10 and 13 February 1986, the Commission considered agenda item 7(b). It had before it the Interim Report of the United Nations Fund for Drug Abuse Control (E/CN.7/1986/10) and a note by the Secretary-General (E/CN.7/1986/7). Detailed accounts on individual projects were also available in two background documents (E/CN.7/1986/CRP.1 and 4).

95. The Executive Director of UNFDAC, introducing the report, outlined UNFDAC's programme development and fund-raising activities. UNFDAC provided financial assistance for the formulation and implementation of 50 projects in 25 countries. Contributions received during 1985 had totalled \$US 24.4 million. The substantial growth in UNFDAC's resources, the numerous requests for its assistance, and the continuous expansion of its activities indicated worldwide recognition of the important role played by the Fund. The increased financial resources of UNFDAC should, however, not becloud the fact that the magnitude of the drug phenomena required a hundredfold increase in resources.

96. The 30 representatives and observers who spoke on this item commended the Executive Director on UNFDAC's achievements. They noted with satisfaction the success of its fund-raising efforts, as reflected in the significant increases in its annual operational budgets. Several representatives encouraged UNFDAC to play a co-ordinating role in centralizing information on bilateral and multilateral assistance programmes.

97. Some representatives emphasized the need for expanding drug preventive education programmes and strengthening law enforcement activities. Many contributions to UNFDAC came from development assistance funds which could not, however, be used in support of law enforcement projects. Modalities might therefore be considered for the identification of specific funds to be channelled through UNFDAC for such activities. Potential donors were therefore encouraged to consider means for identifying funds which might be channelled through UNFDAC for such activities. It was also proposed that countries should keep UNFDAC informed of requests or proposals for drug-related assistance.

98. Several delegates pointed to the continuing need to keep a sectoral and geographical balance in addressing drug abuse control problems, as well as to develop a co-ordinated approach in undertaking programmes in new regions, thereby enhancing UNFDAC's effectiveness. Several representatives also suggested that a balance be kept between earmarked and general contributions in order to ensure UNFDAC's flexibility.

99. A number of representatives made detailed observations in respect of on-going UNFDAC-supported programmes in various regions. They expressed gratitude for the financial support provided to UNFDAC by the international community, but emphasized the need to increase funds to a level more commensurate with the seriousness and magnitude of the problems addressed. In the context of difficulties experienced in implementing drug control programmes, attention was drawn to the growing link between illicit drug traffickers, terrorist groups and other forms of organized crime which adversely affected established governmental systems and on-going democratic processes.

100. Several representatives paid tribute to the positive contributions of the UNFDAC Field Advisers and spoke of the importance of field visits by headquarters staff in the interest of sound programme formulation, expeditious project delivery and effective monitoring of activities.

101. Observers from specialized agencies and non-governmental organizations also expressed appreciation for support received from UNFDAC and indicated willingness to expand collaboration in the planning and implementation of drug abuse control programmes. The representative of WHO pointed to the increased attention being given to demand reduction. He noted that a Conference of Ministers of Health on Narcotic and Psychotropic Misuse would be held in London from 18 to 20 March 1986. The observer for the International Fund for Agricultural Development (IFAD) expressed IFAD's

readiness -- in the framework of inter-agency collaboration -- to consult UNFDAC whenever projects were being designed in areas in which crop substitution programmes should be an integral part of a process of rural development. Likewise, IFAD wanted to share its experience and data resources with UNFDAC for the implementation of the latter's master plans.

102. The Deputy Executive Director of UNFDAC, expressing appreciation for the observations and support, said that financial assistance was being matched by the political will and dedication of countries in need, thereby strengthening the capacity of the international community to cope with drug abuse problems. UNFDAC would continue to support drug demand reduction efforts, including preventive education, as well as law enforcement activities. UNFDAC-supported projects, he said, could not continue indefinitely; they always depended on established needs and the availability of resources. Increased contributions were therefore needed on a regular basis. In conclusion, he stressed UNFDAC's underlying determination to work with donor countries in supporting the political resolve of Member States in meeting their international obligations.

CHAPTER VII

INTERNATIONAL DRUG CONTROL STRATEGY

103. At its 971st meeting, on 12 February 1986, the Commission considered agenda item 7(a). It had before it notes by the Secretary-General entitled "Strategy and policies for drug control" (E/CN.7/1986/11 and A/40/773) as well as a report of the Secretary-General on international co-operation in drug abuse control (A/40/771, section IV). It also had before it reports of three expert group meetings held in 1985 in the context of the programme of action for that year, namely, the Expert Group on the Reduction of Excessive Stocks of Licit Opiate Raw Materials (E/CN.7/1986/11/Add.1), the Expert Group on Cocaine and Heroin Analysis and Recommended Methods of Testing (E/CN.7/1986/11/Add.2), and the Expert Group to Counter Drug Smuggling by Sea and Air (E/CN.7/1986/11/Add.3).

104. The Deputy Director of the Division introduced the item. He drew attention to the fact that the Commission, meeting in plenary, and in the presence of all interested observers, was the Task Force envisaged in General Assembly resolution 36/168 which was to review, monitor and co-ordinate the implementation of the International Drug Abuse Control Strategy and its Basic Five-Year Programme of Action.

105. At its fortieth session, he said, the Assembly had adopted resolution 40/129 entitled "Strategy and policies for drug control" by which it approved the programme of action for 1986, the fifth year of the United Nations Basic Five-Year Programme. That programme of action for 1986 had been reviewed by the Commission at its thirty-first session and reproduced as an annex to document A/40/773. It had been clearly indicated in that annex that the activities proposed under the 1986 programme would be implemented to the extent that regular budget resources permitted, or by recourse to extrabudgetary resources to the extent that these might become available. The Commission, he said, might wish to comment on the projects implemented in 1985, the fourth year of the Basic Five-Year Programme, or give directions to the Division regarding the implementation of the programme for 1986. Comments on the recommendations of the expert groups held in 1985 could better be made under the agenda items to which they were particularly related, he said.

106. One representative inquired about the possibility of redeploying resources from the fifth year of the Basic Five-Year Programme to servicing ICDAIT. The Director of the Division said that the Division was fully programmed for 1986 and 1987 and that a new element had already been included in its programme, namely, the preparation of a new draft convention as indicated in General Assembly resolution 40/120 for which no specific provision had been made in the biennial budget 1986-1987 approved by the General Assembly. The implementation of this new element would already require considerable redeployment of resources. The General Assembly had approved some financial resources for ICDAIT; it would not be necessary, therefore, to redeploy from the Division's biennial resources for that purpose.

107. Another representative said that he was under the impression that the financial implications of drafting a new convention would have been given some consideration at the time of the adoption of General Assembly resolution 40/120. The Director of the Division explained that during the discussions of the fortieth session of the General Assembly, and in the absence of a clear determination of the elements to be included in the new draft convention, it had not been possible to quantify the financial implications of the resolution.

108. One representative suggested that the programme for the fifth year of the Basic Five-Year Programme was heavily tilted towards projects on reduction of supply of drugs. Projects on demand reduction were insufficient, he said. More projects relating to preventive education, and epidemiological studies, particularly in Africa, were sorely needed.

109. Another representative, referring to the programme for 1986, said his country would support another expert group meeting, to consider new analytical methodology and recommended methods for testing drugs of abuse.

110. The Director of the Division thanked the Commission for its comments and suggested that the views expressed on demand reduction could usefully be pursued during the following week, when the Commission met as Preparatory Body for ICDAIT.

CHAPTER VIII

ORGANIZATION OF THE SESSION AND ADMINISTRATIVE MATTERS

A. Opening and duration of the session

111. The Commission on Narcotic Drugs held its ninth special session at Vienna from 10 to 14 February 1986. Ten plenary meetings were held (967th - 976th meetings). The outgoing Chairman of the thirty-first session opened the special session. The Director-General of the United Nations Office at Vienna (UNOV) and the Secretary-General of the International Conference on Drug Abuse and Illicit Trafficking (ICDAIT) and Director of the Division of Narcotic Drugs addressed the Commission. In the absence of the Director-General of UNOV, the Secretary-General of ICDAIT represented the Secretary-General of the United Nations during the session.

B. Attendance

112. The session was attended by the representatives of the 40 States members of the Commission, by observers from 35 other States and by representatives

of 6 specialized agencies, 8 intergovernmental organizations and 22 non-governmental organizations in consultative status with the Economic and Social Council (annex I).

C. Election of officers

113. At its 967th meeting, on 10 February 1986, the Commission elected the following officers by consensus:

Chairman:	Dr. Juhana Idänpään-Heikkilä (Finland)
First Vice-Chairman:	Dr. Enrique Parejo Gonzalez (Colombia)
Second Vice-Chairman:	Mr. O.N. Khlestov (USSR)
Rapporteur:	Dr. Philip O. Emafo (Nigeria)

114. At the same meeting, a Steering Committee was set up consisting of the representatives of Argentina, Canada, Colombia, Finland, France, Germany, Federal Republic of, Hungary, Italy, Madagascar, Mexico, Nigeria, Thailand, Turkey, USSR, United Kingdom, United States of America and Yugoslavia. The committee held two meetings, on 10 and 12 February 1986, to examine how best to plan the Commission's business. Prior to the session, on 7 February 1986, the outgoing Steering Committee of the thirty-first session had held an informal organizational meeting.

D. Adoption of the agenda

115. At its 967th meeting, the Commission adopted by consensus the provisional agenda (E/CN.7/1986/1) agreed on by the Commission at its thirty-first session and approved by the Economic and Social Council (decision 1985/201). The agenda was as follows:

1. Election of officers
2. Adoption of the agenda
3. Follow-up action to General Assembly resolution 39/141 of 14 December 1984, entitled "International campaign against traffic in narcotic drugs"
4. Follow-up action to General Assembly resolution 39/143 of 14 December 1984, entitled "International campaign against traffic in drugs"
5. Implementation of the international treaties on the control of narcotic drugs and psychotropic substances
6. Review of the report of the International Narcotics Control Board
7. Other urgent business

116. At its 971st meeting, on 12 February 1986, the Commission took note of the fact that by Economic and Social Council decision 1986/114 of 7 February 1986 the Commission had been invited to act as Preparatory Body for ICDAIT, and to extend its present session by one week in order to meet as the Preparatory Body to consider the agenda and organizational arrangements for ICDAIT. The Commission responded positively to the invitation of the Council.

E. Sub-Commission on Illicit Drug Traffic and Related Matters in the Near and Middle East

117. The Sub-Commission on Illicit Drug Traffic and Related Matters in the Near and Middle East held its twenty-first session at Vienna on 6 February 1986. Mr. Erdem Erner (Turkey) and Mr. Dilshad Najmuddin (Pakistan) were elected by acclamation to the offices of Chairman and Vice-Chairman respectively for 1986. The five States members - Afghanistan, Iran (Islamic Republic of), Pakistan, Sweden and Turkey - were represented. The INCB, UNFDAC and the United Nations Centre for Social Development and Humanitarian Affairs were represented at the meeting. The twelfth HONLEA (Far East) meeting was represented by its Chairman. The Colombo Plan Bureau, ICPO/Interpol and the International Road Transport Union were represented by observers.

CHAPTER IX

CO-ORDINATION BETWEEN THE THREE UNITED NATIONS
DRUG CONTROL UNITS

118. At its 974th meeting, on 13 February 1986, the Commission considered agenda item 7(d). It had before it a note by the Secretary-General entitled "Co-ordination between the three United Nations drug control units" (E/CN.7/1986/8).

119. The Director of the Division, introducing the item, said that the note, prepared pursuant to a request made during the Commission's thirty-first regular session, contained a summary of initiatives taken to enhance co-ordination between the three units, since February 1985, by the Secretary-General, the Administrative Committee on Co-ordination, the Committee for Programme and Co-ordination, and the Joint Inspection Unit. The monthly co-ordination meetings of the Heads and Deputy Heads of the three units had been reinstated, she said. Two Inter-Agency Meetings on Co-ordination had been held in 1985. The next such meeting would take place on 15 February 1986, and would be chaired by the Under-Secretary-General for Political and General Assembly Affairs.

120. Many representatives expressed satisfaction with the performance of the drug control units and the measures initiated by the Under-Secretary-General for Political and General Assembly Affairs, who was responsible for co-ordinating the work of the three units.

121. One representative suggested that, in the drafting of the terms of reference for the drug control units, to be included in the Organization Manual of the Secretariat, the views of all three units should be taken fully into account, as should be those of interested Commission members whenever reviews and revisions were made. With regard to public information activities in the field of international drug control, these should be deferred until a definite public information programme had been established for ICDAIT. The resources for this programme should be utilized in a cost-effective manner. It was also stated that as work progressed on preparations for ICDAIT and on the drafting of a new convention, co-ordination must be regular and well managed.

122. A representative, stressing the importance of the treaty-based functions of the Commission and INCB, said that if there was good co-ordination between the Division of Narcotic Drugs, INCB and UNFDAC, there was no need for any additional structure in the area of drug control. Another representative suggested that co-ordination between the three drug control units should be a regular item in the agenda of the Commission, with emphasis being given to co-ordination in the area of supply and demand reduction. The need for co-ordination extended not only to the three drug control units at Vienna, however, but to the specialized agencies as well. More should be done to improve system-wide co-ordination in the United Nations. It was also noted that this co-ordination should help generate additional efforts on the part of specialized agencies to curb drug abuse.

CHAPTER X

RESOLUTIONS AND DECISIONS ADOPTED BY THE COMMISSION AT ITS NINTH SPECIAL SESSION

A. Resolutions

1 (S-IX). Guidance on the drafting of an international convention to combat drug trafficking

The Commission on Narcotic Drugs,

Recalling General Assembly resolution 39/141 of 14 December 1984 in which the commission was requested to initiate the preparation of a draft convention against illicit drug traffic, as a matter of high priority,

Recalling further resolution 1 (XXXI) of the Commission on Narcotic Drugs in which the Secretary-General was requested to compile and consolidate comments and proposals submitted by Governments on elements they would like to have incorporated in the draft convention,

Noting the Commission's request, in its resolution 1 (XXXI), that the Economic and Social Council include this item on the provisional agenda of the ninth special session, so that the Commission might consider, at that session, the report of the Secretary-General and reach decisions on those elements which could be included in the draft convention, as well as on the modalities for preparing the text of the draft convention,

Emphasizing the fundamental relationship between the consumption of narcotic drugs and psychotropic substances and the trafficking of those substances, and the necessity to adopt effective measures to reduce the demand for these substances in order to make more effective the measures to combat drug trafficking,

Bearing in mind General Assembly resolution 40/120 of 13 December 1985, in which the Economic and Social Council is requested to instruct the Commission to decide on the elements that could be included in the convention and to request the Secretary-General to prepare a draft on the basis of those elements,

Taking note of resolution 2 entitled "Struggle against illicit drug trafficking" adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, and of the relevant parts of the report of that Congress,

Recognizing that a new convention should serve to supplement the existing international instruments – such as the Single Convention on Narcotic Drugs, 1954, that Convention as amended by the 1972 Protocol amending the Single Convention on Narcotic Drugs, 1954, and the 1971 Convention on Psychotropic Substances – which provide the existing international legal framework for combatting illicit drugs and drug abuse, and which the Commission urges all States which have not yet done so to adhere to,

Convinced that the new convention should take into consideration the priority interests of all countries concerned so that it can be effective, widely acceptable and enter into force at the earliest possible time,

Convinced further that the report of the Secretary-General on "Comments and proposals received from Governments concerning a draft convention on illicit traffic in narcotic drugs and psychotropic substances" (E/CN.7/1986/2 and Corr.1 and 2 and Add. 1-3) illustrates the high priority accorded this endeavour by States, and their interest in the early conclusion of a draft convention,

1. Expresses its appreciation to those States which responded to the request of the Secretary-General for comments and proposals on elements for inclusion in a draft convention;

2. Commends the Secretary-General for his comprehensive report on those responses;

3. Recommends that the following elements be included in an initial draft convention:

(a) Definitions, as required for the purpose of the convention,

(b) Identification, tracing, freezing and forfeiture of proceeds of drug trafficking,

(c) Strengthening of the obligations concerning extradition for offences relating to drug trafficking,

(d) Measures to monitor or control specific chemicals, solvents and precursors used in the illegal processing or manufacture of controlled drugs,

(e) Measures to ensure that commercial carriers are not used to transport illicit narcotic drugs and psychotropic substances, including the development of a system of sanctions,

(f) Means of co-operation among countries, particularly among law enforcement agencies, for the exchange of information as well as the establishment of joint communications links, training assistance and the exchange of expertise, including the posting of drug liaison officers as needed, taking into consideration the special problems of transit States,

(g) Strengthening co-operation among countries to provide mutual legal and judicial assistance in cases relating to drug trafficking, and promotion of mutual assistance in investigative and prosecutorial matters,

(h) Controlled delivery,

(i) Adequacy of sanctions for offences relating to drug trafficking,

- (j) Strengthening mutual co-operation among States in the suppression of illicit drug trafficking on the high seas,
- (k) Measures to curtail the illicit and uncontrolled cultivation of narcotic plants, including prevention, crop substitution and eradication,
- (l) Extension of controls in free trade zones and free ports,
- (m) Prevention of receipt, possession and transfer of equipment for the purpose of illegal manufacturing, compounding or processing of narcotic drugs and psychotropic substances,
- (n) Prevention of the use of the mails for the illegal transport of narcotic drugs and psychotropic substances;

4. Requests the Secretary-General to prepare a preliminary draft of a convention containing the elements specified in paragraph 3, and to circulate that draft to Members of the Commission and other interested Governments by 15 August 1986;

5. Invites Members of the Commission and other interested Governments to submit their comments on and/or proposed textual changes in the draft to the Secretary-General by 30 October 1986;

6. Requests the Secretary-General to compile these comments and/or proposed textual changes and to circulate them for consideration at the thirty-second session of the Commission, so that the Commission may give direction on the further development of the draft convention.

2 (S-IX). Commendation of World Health Organization procedures for the review of dependence-producing psychoactive substances for international control under the international drug control Conventions

The commission on Narcotic Drugs,

Recalling its resolutions 2 (S-VII), 4 (XXX) and 2 (S-VIII),

Noting with appreciation the World Health Organization's response to the suggestions contained in those resolutions,

Recognizing the complexities associated with the review and evaluation of the diversion, abuse and abuse liability of psychoactive substances,

Recognizing also that both the Single Convention on Narcotic Drugs, 1953, and the 1971 Convention on Psychotropic Substances stress the concept of applying rigorous measures to restrict the use of psychoactive substances to legitimate purposes while recognizing that the use of psychoactive substances for medical and scientific purposes is indispensable and that the availability of those substances for such purposes should not be unduly restricted,

Further recognizing that public health and social problems caused by some psychoactive substances have required Governments to undertake actions to limit the use of these substances to legitimate purposes,

Acknowledging the highly commendable efforts of the World Health Organization to develop and implement effective guidelines for the full and open review of psychoactive substances, as most recently discussed at the seventy-seventh session of that Organization's Executive Board,

Noting with pleasure that the World Health Organization intends to re-evaluate carefully its criteria and plans for the selection of substances for future review,

Bearing in mind that the resources available to review substances adequately are limited and that World Health Organization reviews ought to focus on priority needs,

Noting the importance of assisting the Secretary-General to fully document drug scheduling recommendations conveyed to Member States of the Commission on Narcotic Drugs,

1. Commends the World Health Organization for its efforts to re-evaluate and refine its guidelines for the review of dependence-producing psychoactive substances for international control, and to develop further an efficient and effective mechanism to fulfil its role as specified in the international drug control Conventions;

2. Endorses, in principle, the guidelines for the review of dependence-producing psychoactive substances, taking into account the amendments proposed in the discussion at the seventy-seventh session of the World Health Organization Executive Board in January 1986;

3. Endorses, in particular, the ongoing efforts of the World Health Organization to clarify the procedures, criteria and plans for the selection of substances for future review;

4. Endorses also the World Health Organization's continuing efforts to document fully all recommendations forwarded to the Secretary-General, for presentation to Member States of the Commission on Narcotic Drugs, giving particular attention to the degree of seriousness of the public health and social problems, so that those Member States may be fully informed concerning the rationale for the World Health Organization's recommendations, including the recommendations on the need for international controls;

5. Urges all Governments and other interested parties to assist the Secretary-General and the World Health Organization by providing full and accurate information on substances under consideration by the World Health Organization, both prior to and during the review process.

3 (S-IX). Exemption of preparations

The Commission on Narcotic Drugs,

Bearing in mind the obligation of Parties to the 1971 Convention to notify the Secretary-General when preparations are exempted by them from some control measures, as provided in article 3, paragraph 3, of the 1971 Convention on Psychotropic Substances,

Recalling its resolution 1 (S-VIII) approving the guidelines for the exemption of preparations from certain control measures under the provisions of article 3 of the 1971 Convention,

Taking into account the problems connected with the evaluation of, and decision-taking on, a limited number of exemption notifications,

Recognizing the difficulties encountered during the application of a complicated mechanism for the evaluation of exemption cases necessitating the use of important amounts of expert knowledge and financial resources,

Further recognizing the significant efforts deployed by the World Health Organization to fulfil the provisions of the 1971 Convention and the guidelines adopted by the Commission,

1. Requests Governments to comply with the provision of article 3, paragraph 3, of the 1971 Convention which obliges Parties to notify the Secretary-General of exemptions granted by them;

2. Invites Governments to furnish to the Secretary-General all the information needed by the World Health Organization for evaluation purposes and by the Commission for decision-taking on cases when the termination of an exemption was recommended by the World Health Organization;

3. Further requests Governments to consider not granting exemptions from the export and import requirements provided by article 12 of the 1971 Convention;

4. Recommends that where the exempted preparations are only for use within the country granting the exemption, and where the country assures the World Health Organization that to the best of its knowledge the exempted preparations are not subject to abuse, the World Health Organization should not conduct an in-depth evaluation of such exempted preparations as outlined in resolution 1 (S-VIII), but should continue to keep records on such exemptions for future monitoring purposes;

5. Further recommends that the World Health Organization should defer the evaluation of exemption notifications until such time as a substantial number of such notifications are presented to the Secretary-General, allowing the simultaneous and comparative evaluation of those notifications;

6. Requests the Economic and Social Council to include in the provisional agenda of the thirty-second session of the Commission an item on the study of the provisions of article 3 of the 1971 Convention in order to explore the possibilities for the simplification and improvement of the expensive and complicated mechanisms used for the handling and evaluation of exemption notifications.

B. Decisions

1 (S-IX). INCLUSION OF CATHINONE IN SCHEDULE I OF THE 1971 CONVENTION ON PSYCHOTROPIC SUBSTANCES

At its 969th meeting, on 11 February 1986, the Commission on Narcotic Drugs, in accordance with article 2, paragraph 5, of the 1971 Convention on Psychotropic Substances, decided that (-)-alpha-aminopropiophenone (also referred to as cathinone) should be included in Schedule I of that Convention.

2 (S-IX). INCLUSION OF 2,5-DIMETHOXYAMPHETAMINE (DMA) IN SCHEDULE I OF THE 1971 CONVENTION ON PSYCHOTROPIC SUBSTANCES

At its 969th meeting, on 11 February 1986, the Commission on Narcotic Drugs, in accordance with article 2, paragraph 5, of the 1971 Convention on Psychotropic Substances, decided that dl-2,5-dimethoxy-alpha-methylphenylethylamine (also referred to as 2,5-dimethoxyamphetamine or DMA) should be included in Schedule I of that Convention.

3 (S-IX). INCLUSION OF PARAMETHOXYAMPHETAMINE (PMA) IN SCHEDULE I
OF THE 1971 CONVENTION ON PSYCHOTROPIC SUBSTANCES

At its 969th meeting, on 11 February 1986, the Commission on Narcotic Drugs, in accordance with article 2, paragraph 5, of the 1971 Convention on Psychotropic Substances, decided that 4-methoxy-alpha-methylphenylethylamine (also referred to as paramethoxyamphetamine (PMA)) should be included in Schedule I of that Convention.

4 (S-IX). INCLUSION OF 3,4,5-TRIMETHOXYAMPHETAMINE (TMA) IN SCHEDULE I
OF THE 1971 CONVENTION ON PSYCHOTROPIC SUBSTANCES

At its 969th meeting, on 11 February 1986, the Commission on Narcotic Drugs, in accordance with article 2, paragraph 5, of the 1971 Convention on Psychotropic Substances, decided that dl-3,4,5-trimethoxy-alpha-methylphenylethylamine (also referred to as 3,4,5-trimethoxyamphetamine or TMA) should be included in Schedule I of that Convention.

5 (S-IX). INCLUSION OF 2,5-DIMETHOXY-4-ETHYLAMPHETAMINE (DOET) IN SCHEDULE I
OF THE 1971 CONVENTION ON PSYCHOTROPIC SUBSTANCES

At its 969th meeting, on 11 February 1986, the Commission on Narcotic Drugs, in accordance with article 2, paragraph 5, of the 1971 Convention on Psychotropic Substances, decided that dl-2,5-dimethoxy-4-ethyl-alpha-methylphenylethylamine (also referred to as 2,5-dimethoxy-4-ethylamphetamine or DOET) should be included in Schedule I of that Convention.

6 (S-IX). INCLUSION OF 5-METHOXY-3,4-METHYLENEDIOXYAMPHETAMINE (MMDA)
IN SCHEDULE I OF THE 1971 CONVENTION ON PSYCHOTROPIC SUBSTANCES

At its 969th meeting, on 11 February 1986, the Commission on Narcotic Drugs, in accordance with article 2, paragraph 5, of the 1971 Convention on Psychotropic Substances, decided that dl-5-methoxy-3,4-methylenedioxy-alpha-methylphenylethylamine (also referred to as 5-methoxy-3,4-methylenedioxy-amphetamine or MMDA) should be included in Schedule I of that Convention.

7 (S-IX). INCLUSION OF 3,4-METHYLENEDIOXYMETHAMPHETAMINE (MDMA)
IN SCHEDULE I OF THE 1971 CONVENTION ON PSYCHOTROPIC SUBSTANCES

At its 969th meeting, on 11 February 1986, the Commission on Narcotic Drugs, in accordance with article 2, paragraph 5, of the 1971 Convention on Psychotropic Substances, decided that dl-3,4-methylenedioxy-N,alpha-dimethylphenylethylamine (also referred to as 3,4-methylenedioxy-methamphetamine or MDMA) should be included in Schedule I of that Convention.

8 (S-IX). INCLUSION OF FENETYLLINE IN SCHEDULE II OF THE
1971 CONVENTION ON PSYCHOTROPIC SUBSTANCES

At its 969th meeting, on 11 February 1986, the Commission on Narcotic Drugs, in accordance with article 2, paragraph 5, of the 1971 Convention on Psychotropic Substances, decided that dl-3,7-dihydro-1,3-dimethyl-7-(2-[(1-methyl-2-phenylethyl)amino]ethyl)-1H-purine-2,6-dione (also referred to as fenetylline) should be included in Schedule II of that Convention.

9 (S-IX). INCLUSION OF LEVAMPHETAMINE IN SCHEDULE II OF THE
1971 CONVENTION ON PSYCHOTROPIC SUBSTANCES

At its 969th meeting, on 11 February 1986, the Commission on Narcotic Drugs, in accordance with article 2, paragraph 5, of the 1971 Convention on Psychotropic Substances, decided that l-alpha-methylphenethylamine (also referred to as levamphetamine) should be included in Schedule II of that Convention.

10 (S-IX). INCLUSION OF LEVOMETHAMPHETAMINE IN SCHEDULE II
OF THE 1971 CONVENTION ON PSYCHOTROPIC SUBSTANCES

At its 969th meeting, on 11 February 1986, the Commission on Narcotic Drugs, in accordance with article 2, paragraph 5, of the 1971 Convention on Psychotropic Substances, decided that l-N, alpha-dimethylphenethylamine (also referred to as levomethamphetamine) should be included in Schedule II of that Convention.

11 (S-IX). INCLUSION OF CATHINE IN SCHEDULE III OF THE
1971 CONVENTION ON PSYCHOTROPIC SUBSTANCES

At its 969th meeting, on 11 February 1986, the Commission on Narcotic Drugs, in accordance with article 2, paragraph 5, of the 1971 Convention on Psychotropic Substances, decided that d-threo-2-amino-1-hydroxy-1-phenylpropane (also referred to as cathine) should be included in Schedule III of that Convention.

12 (S-IX). INCLUSION OF N-ETHYLAMPHETAMINE IN SCHEDULE IV OF THE
1971 CONVENTION ON PSYCHOTROPIC SUBSTANCES

At its 969th meeting, on 11 February 1986, the Commission on Narcotic Drugs, in accordance with article 2, paragraph 5, of the 1971 Convention on Psychotropic Substances, decided that dl-N-ethyl-alpha-methylphenylethylamine (also referred to as N-ethylamphetamine) should be included in Schedule IV of that Convention.

13 (S-IX). INCLUSION OF FENCAMFAMIN IN SCHEDULE IV OF THE
1971 CONVENTION ON PSYCHOTROPIC SUBSTANCES

At its 969th meeting, on 11 February 1986, the Commission on Narcotic Drugs, in accordance with article 2, paragraph 5, of the 1971 Convention on Psychotropic Substances, decided that dl-N-ethyl-3-phenylbicyclo(2,2,1)-heptan-2-amine (also referred to as fencamfamin) should be included in Schedule IV of that Convention.

14 (S-IX). INCLUSION OF FENPROPorex IN SCHEDULE IV OF THE
1971 CONVENTION ON PSYCHOTROPIC SUBSTANCES

At its 969th meeting, on 11 February 1986, the Commission on Narcotic Drugs, in accordance with article 2, paragraph 5, of the 1971 Convention on Psychotropic Substances, decided that dl-3-[(alpha-methylphenethyl)amino]propionitrile (also referred to as fenproporex) should be included in Schedule IV of that Convention.

15 (S-IX). INCLUSION OF MEFENOREX IN SCHEDULE IV OF THE
1971 CONVENTION ON PSYCHOTROPIC SUBSTANCES

At its 969th meeting, on 11 February 1986, the Commission on Narcotic Drugs, in accordance with article 2, paragraph 5, of the 1971 Convention on Psychotropic Substances, decided that dl-N-(3-chloropropyl)-alpha-methylphenethylamine (also referred to as mefenorex) should be included in Schedule IV of that Convention.

16 (S-IX). INCLUSION OF PROPYLHEXEDRINE IN SCHEDULE IV OF THE
1971 CONVENTION ON PSYCHOTROPIC SUBSTANCES

At its 969th meeting, on 11 February 1986, the Commission on Narcotic Drugs, in accordance with article 2, paragraph 5, of the 1971 Convention on Psychotropic Substances, decided that dl-1-cyclohexyl-2-methylaminopropane (also referred to as propylhexedrine) should be included in Schedule IV of that Convention.

17 (S-IX). INCLUSION OF PYROVALERONE IN SCHEDULE IV
OF THE 1971 CONVENTION ON PSYCHOTROPIC SUBSTANCES

At its 969th meeting, on 11 February 1986, the Commission on Narcotic Drugs, in accordance with article 2, paragraph 5, of the 1971 Convention on Psychotropic

Substances, decided that dl-1-(4-methylphenyl)-2-(1-pyrrolidinyl)-1-pentanone (also referred to as pyrovalerone) should be included in Schedule IV of that Convention.

18 (S-IX). Assistance to identify any illicit opium poppy cultivation in the area of the Sub-Commission on Illicit Drug Traffic and Related Matters in the Near and Middle East

At its 975th meeting, on 14 February 1986, the Commission on Narcotic Drugs decided to request the Division of Narcotic Drugs to continue to do everything possible, within available resources, to:

(a) Develop mechanisms, including laboratory analysis, to identify with more precision the sources of opium seized from the illicit traffic in the area of the Sub-Commission on Illicit Drug Traffic and Related Matters in the Near and Middle East;

(b) Provide support for the organization of fellowships, study tours and workshops aimed at facilitating greater and continuing exchange of relevant experience and at developing harmonized methodologies to use against the illicit traffic and drug abuse (an effort which should involve all concerned agencies of the Governments of States members of the Sub-Commission);

(c) Provide support to enable aerial surveys to be undertaken, as requested by the Government of the Islamic Republic of Iran, in order to identify with greater accuracy any remaining areas of illicit opium cultivation;

(d) Develop detailed feasibility studies on the possibility of using satellite interpretation to identify any remaining illicit opium poppy cultivation in the area of the Sub-Commission;

(e) Ask the United Nations Fund for Drug Abuse Control to consider ways to support the proposed activities of member States of the Sub-Commission, as set out in the Sub-Commission's reports on, and recommendations adopted at, its twentieth and twenty-first sessions.

19 (S-IX). Provisional agenda of Interregional HONLEA

At its 976th meeting, on 14 February 1986, the Commission on Narcotic Drugs decided that the Interregional Meeting of Heads of National Drug Law Enforcement Agencies (Interregional HONLEA), to be held at Vienna from 28 July to 1 August 1986, should examine in depth the most important aspects of the problem of the traffic in drugs and recommend any desirable actions that might be taken regarding:

(a) Additional measures which would facilitate the preparation of a draft convention on narcotic drugs and psychotropic substances, including extradition, techniques of controlled delivery, and other elements identified by the Commission at its ninth special session as meriting inclusion in the draft convention;

(b) Mechanisms which would enhance interregional co-ordination and co-operation on a permanent basis, including making financial resources available to assist Governments lacking the means to establish appropriate communication systems;

(c) Measures to reduce the vulnerability of States affected by transit drug traffic;

(d) A strategy for identifying the links between illicit drug traffic and other organized crime, with a view to attacking the organizers of such crime, taking particular account of the need to ensure tracing and forfeiture of the proceeds of all drug-related crimes and to seek greater harmony in, and adequacy of, sanctions for serious offences involving or associated with drug trafficking;

(e) Countermeasures to drug smuggling by sea and by air;

(f) The initiation of a long-term training strategy.

20 (S-IX). Trial use of draft revised annual reports questionnaire

At its 969th meeting, on 11 February 1986, the Commission on Narcotic Drugs decided to request the Secretariat to use the draft revised annual reports questionnaire on a trial basis in its present form to collect data concerning annual reports for 1985 on the working of the international Conventions on narcotic drugs and psychotropic substances.

Annex I

ATTENDANCE

MEMBERS

- Algeria: Mohamed Messaid, Rachid Denine,* Smail Bouzar, Ismail Aris, Ahmed Bourouga, Allel Chouiter, Abdelhamid Boubazine
- Argentina: Jaime Malanud Gotti, Luis Alcon Palus,* Maria Elena Borrasca de Gonzalez Rial, Claudia Valotta, Amadeo Farias
- Australia: J.R. Kelso, R. Wells,* G.M. Quigley, H.F. Woltring, B.K. Bannerman, D.J. Jenkins, F. Potts, A.M. Whiddett, R.A. Newton
- Belgium: A. Pauwels, Filip Cumps,* G. Jonar
- Brazil: Tício Lins-e-Silva, Antonio Carlos de Moraes,* Marcelo Didier, Isac Germano Karniol, Carlos Sergio Duarte
- Bulgaria: Alexandrina Nencheva, Christo Popov,* Teodor Tsvetkov, Christo Paskalev
- Canada: Jacques Gignac, Donald M. Smith,* Ross W. Christensen, Ron A. Draper, Jacques G. Lecavalier, W. McKissock, Franco D. Pillarella, Jan Skirrow, Paul Saint-Denis, Rodney T. Stamler, Chris Greenshields, A. Snidanko, Marc Baudouin
- China: Li Chaojin, Chen Yuchu,* Zhang Xilin, Chen Yinqing, Jin Liufa, Liu Zhimin, Ding Guanqun
- Colombia: Enrique Parejo Gonzalez, Maria Elvira Pombo Holguin,* Mario Leonel Rodriguez Vargas
- Ecuador: Jorge Maldonado Renella, Iván Peñaherrera Delgado,* Salvador Peralta Pérez, Hernán Escalante, Jaime Barberis
- Finland: Juhana Idänpään-Heikkilä, Matti Bäckman,* Ariel Rimón, Kaarle Lehmus, Ulla Terho, Leena Lehmuusaari, Jukka Pietikäinen
- France: Jean-Claude Karsenty, Tony Francfort,* Jacques Franquet, Christiane Aveline, Suzanne Colombani, Ronny Abraham, Gabriel Keller
- German Democratic Republic:
Hans Probst, Dietmar Singer,* Eva-Maria Schneidewind
- Germany, Federal Republic of:
Helmut Butke, Klaus Aurisch,* Nikolaus Haberland, Oskar Katholnigg, Wolfgang Birke, Hans-Ulrich Gleim, Axel Weishaupt, Christoph Freiherr von Harsdorf, Manfred Gerwinat, Peter-Hannes Meyer, Rainer Buchert, Georg Weiss, Eva-Maria Manz

* Alternate.

Greece: Georges H. Cladakis, Lazaros Nanos* Eleuthère Douvos

Hungary: István Bayer, Béla Bölcs,* György Balogh, Endre Zádor,
István Lóczy, Jolán Mayer, Béla Majorossy, Gábor Szücs

Indonesia: Artati Sudirdjo, M.D. Tanjung,* Suyono Sudiby, Sirad Atmodjo,
Muslim Amaludin, Enny Soeprapto, Sudjadnan Parnohadiningrat

Iran (Islamic Republic of): Seyed Hossein Fakhr, Ghodratollah Assadi,* Mostafa Hoshyar,
Manoutchehr Samiee, Ayatollah Gudarzi, Keyvan Imani

Italy: Raffaele Costa, Mario Alessi,* Donatino Marcon,
Giovanni Kojanec, Gioacchino Polimeni, Vittoria Correa,
Giuseppe Calabrese, Ennio de Francesco, Elisabetta Belgiorno,
Andrea Corvo, Romano Capasso, Pietro Ferrara, Anna Scherer,
Elena Giusta

Japan: Kazutaka Ichikawa, Hitoshi Tabayashi,* Hideyuki Suzuki,
Satoshi Kawahara

Madagascar: Maurice Randrianame, Henri Rajaofera,* Jaona Emile

Malaysia: Azizan Zainol Abidin, Mon Jamaluddin,* Khairuddin Ibrahim,
Mohd. Yassin Haji Jaafar, Liew Kee Hooi, Hsu King Bee,
John Louis O'Hara, Lee See Yen, Chung Tsu Tuan

Mali: Marie Claire Diallo

Mexico: José María Ortega Padilla, Raúl Lopezlira Nava*

Morocco: Abdessamad Ennaciri, Mohamed Beghdi,* Abdelhadi Boucetta

Netherlands: L.H.B.J. van Gorkom, E.L. Engelsman,* C.W.D. van Grueting,
R.W.M. Graemer, J. Schutte, G.J. de Gooyer, N.J. Jonker,
J. van Bolhuis

Nigeria: Philip O. Emafo, E.O. Adegbokun,* A.M. Adams

Pakistan: Dilshad Najmuddin, Sher Afgan Khan*

Peru: Rene Flores Agreda, Walter Negreiros Portella,* Guido Loayza D.

Senegal: Diaraff Farba Paye

Spain: Miguel Solans Soteras, Enrique Suárez de Puga,*
Pedro Rodríguez Nicolás, Enrique Granda,
Félix Calderón Moreno, Santiago de Torres

Sri Lanka: T.B. Werapitiya, P.H.A. Weerasinghe,* C.D. Mendis

Thailand: Chavalit Yodmani, Panya Vanasatit,* Nucharat Kanchanaroj,
Ermporn Soravisutra, Surapol Maneepong

Turkey: Erdem Erner, Unal Marasli,* Ahmet Ozgünes, Rifat Oktem,
Fügen Ok, Balkan Kizildeli, Necmettin Bostan, Selçuk Akin,
Sami Güner, Sakir Altinbas, Namik Evren, Sami Soydan,
Besim Sen, Ayse Boso

Union of Soviet Socialist Republics:

O.N. Khlestov, N.K. Barkov,* K.M. Pushkov, P. Dzioubenka

United Kingdom of Great Britain and Northern Ireland:

N.A. Nagler, R.G.W. Cook,* C.V. Hewett, R.H.L. Lawrence,
G.L. Mortimer, C.J.A. Denne, W. O'Hara, A.J. Dean, C. Robson

United States of America:

Jon R. Thomas, Bruce K. Chapman,* Carlton E. Turner,
James R. Cooper, Jerrold Mark Dion, James Ferrer,
Dianne H. Graham, Gene R. Haislip, F. Gray Handley, Jr.,
Louis Khan, Stuart I. Nightingale, Charles Saphos,
James Shaver, Ray A. Meyer

Venezuela:

Jose Francisco Sucre Figarella, Víctor Rodríguez Cedeño,*
Delma Miralles, Elba Torres Graterol

Yugoslavia:

Milan Skrlj, Stanko Nick,* Ivan Trutin, Vido Popadic,
Koska Ikonovski

Zambia:

S.C. Singine

STATES MEMBERS OF THE UNITED NATIONS REPRESENTED BY OBSERVERS

Afghanistan, Austria, Bahamas, Burma, Byelorussian SSR, Cameroon, Chile, Côte d'Ivoire, Cuba, Czechoslovakia, Denmark, Egypt, Guatemala, India, Iraq, Israel, Lebanon, Luxembourg, Norway, Oman, Panama, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Saudi Arabia, South Africa, Sweden, Tunisia, Uruguay, Zaire

STATES NOT MEMBERS OF THE UNITED NATIONS REPRESENTED BY OBSERVERS

Holy See, Switzerland

UNITED NATIONS SECRETARIAT

Secretariat of the International Narcotics Control Board; United Nations Fund for Drug Abuse Control; United Nations Centre for Social Development and Humanitarian Affairs

UNITED NATIONS BODIES

International Narcotics Control Board; United Nations Social Defence Research Institute

SPECIALIZED AGENCIES AND OTHER ORGANIZATIONS

International Civil Aviation Organization; International Fund for Agricultural Development; International Labour Organisation; International Maritime Organization; United Nations Industrial Development Organization; World Health Organization

INTERGOVERNMENTAL ORGANIZATIONS

Colombo Plan Bureau; Commission of the European Communities; Council of Europe; Council of Arab Ministers of Interior; Customs Co-operation Council; International Criminal Police Organization; Organization of American States; Permanent Secretariat of the South American Agreement on Narcotic Drugs and Psychotropic Substances

NON-GOVERNMENTAL ORGANIZATIONS IN CONSULTATIVE STATUS WITH THE ECONOMIC AND SOCIAL COUNCIL

Category I: International Alliance of Women; International Chamber of Commerce; International Organization of Consumers Unions; Soroptomist International; World Federation of United Nations Associations; Zonta International

Category II: Bahi'i International Community; Baptist World Alliance; Caritas Internationalis; International Association of Lions Clubs; International Catholic Child Bureau; International Council on Alcohol and Addictions; International Law Association; International Road Transport Union; Italian Centre of Solidarity; World Association of Girl Guides and Girl Scouts; World Federation for Mental Health; World Union of Catholic Women's Organizations

Roster (A): Defense of Children International

Roster (C): International Federation of Pharmaceutical Manufacturers Associations; International Union for Health Education

Annex II

PROGRAMME BUDGET FOR THE BIENNIUM 1986-1987:
INTERNATIONAL DRUG CONTROL; PREPARATION OF A DRAFT CONVENTION
ON ILLICIT TRAFFIC IN NARCOTIC DRUGS

Programme budget implications of draft resolution entitled
"Guidance on the drafting of an international convention to
combat drug trafficking *

(Statement submitted by the Secretary-General in accordance with rule 28 of the Rules of Procedure of the Functional Commissions of the Economic and Social Council)

A. Request contained in the draft resolution

1. In paragraph 3 of the draft resolution contained in document E/CN.7/1986/L.5, the Commission on Narcotic Drugs would recommend that the following elements be included in an initial draft convention:
- (a) Definitions as required for the purposes of the convention;
 - (b) Identification, tracing, freezing and forfeiture of proceeds of drug trafficking;
 - (c) Strengthening of the obligations concerning extradition for offences relating to drug trafficking;
 - (d) Measures to monitor or control specific chemicals, solvents and precursors used in the illegal processing or manufacture of controlled drugs;
 - (e) Measures to ensure that commercial carriers are not used to transport illicit narcotic drugs and psychotropic substances, including the development of a system of sanctions;
 - (f) Means of co-operation among countries, particularly among law enforcement agencies, for the exchange of information as well as the establishment of joint communication links, training assistance and the exchange of expertise, including the posting of drug liaison officers as needed;
 - (g) Strengthening co-operation among countries to provide mutual legal and judicial assistance in cases relating to drug trafficking, and promotion of mutual assistance in investigative and prosecutorial matters;
 - (h) Controlled delivery;
 - (i) Adequacy of sanctions for offenses relating to drug trafficking.
 - (j) Strengthening mutual co-operation among States in the suppression of illicit drug trafficking on the high seas;

* For the text of the draft resolution, see chapter X.A, above. For the Commission's deliberations on the subject, see chapter II.

(k) Measures to curtail the illicit and uncontrolled cultivation of narcotic plants, including prevention, crop substitution and eradication;

(l) Extension of controls in free trade zones and free ports;

(m) Prevention or receipt, possession and transfer of equipment for the purpose of illegal manufacturing, compounding or processing of narcotic drugs and psychotropic substances;

(n) Prevention of the use of the mails for the illegal transport of narcotic drugs and psychotropic substances.

2. In paragraph 4 of the draft resolution, the Commission would request the Secretary-General:

"to prepare a preliminary draft of a convention containing the elements specified in paragraph 3, and to circulate that draft to Members of the Commission and other interested Governments by 15 August 1986."

3. In paragraph 5, the Commission would invite Members of the Commission and other interested Governments to submit their comments on and/or proposed textual changes in the draft to the Secretary-General by 30 October 1986.

4. In paragraph 6, the Commission would further request the Secretary-General:

"to compile these comments and/or proposed textual changes and to circulate them for consideration at the thirty-second session of the Commission so that the Commission may give direction on the further development of the draft convention."

B. Relationship of proposed request to approved programmes of work

5. Activities related to those envisaged in the draft resolution are contained in subprogrammes 1 (Treaty implementation and Commission secretariat) and 2 (Applied scientific research and technical information) of section 208 (International drug control, Division of Narcotic Drugs) of the programme budget for the biennium 1986-1987, the objectives and strategy of which are described in chapter 7 of the medium-term plan for the period 1984-1989.

C. Activities by which proposed requests will be implemented

6. In order to respond to the draft resolution, the Secretary-General is asked to prepare and circulate by 15 August 1986 a preliminary draft of a convention, on the basis of those elements decided upon by the Commission. Following the submission by interested Governments of comments or proposed textual changes, by 30 October 1986, the Secretary-General will prepare a compilation of those comments and changes for consideration by the Commission at its thirty-second session.

7. The Division of Narcotic Drugs will make every effort to complete the preliminary drafting of the elements specified in the draft resolution within the requested time frame and will co-ordinate contributions prepared by other United Nations entities.

8. In this endeavour, the Division has already approached the Office of Legal Affairs, the INCB secretariat and the Centre for Social Development and Humanitarian Affairs with a view to ascertaining the areas and extent of their possible co-operation in connection with the preliminary drafting of a convention. The results of these consultation are stated below.

9. The INCB secretariat could make a contribution, in consultation with the Division, to the preparation of an initial draft on elements (d) and (i) contained in paragraph 3 of the draft resolution.

10. The Centre for Social Development and Humanitarian Affairs could make a contribution, in consultation with the Division, to the preparation of an initial draft on elements (g) and (i) contained in paragraph 3 of the draft resolution.

11. The Office of Legal Affairs is prepared to review drafts of substantive articles prepared by the Division and to provide, at the requisite time, model or specific articles for the final clauses of the convention.

D. Modifications required in the approved programmes of work for the Division of Narcotic Drugs for 1986-1987

12. The proposed activities would represent an addition to the approved programme of work for 1986-1987.

E. Additional requirements at full cost

13. It is estimated that 11 work months, i.e. two work months at the D-1 level, three work months at the P-4 level, three work months at the P-2 level, and three consultant work months, would be required to prepare a preliminary draft of a convention including the various elements contained in the draft resolution.

14. At the second stage, it is estimated that an additional one work month at the D-1 level, two work months at the P-2 level, and two consultant work months, would be required to compile comments and/or textual changes received from Members of the Commission and other interested Governments.

15. A total of eleven professional work months and five consultant work months would therefore be required to carry out the requests set forth in the draft resolution. The work months would cost as follows:

<u>Work months</u>	<u>Level</u>	<u>\$US</u>
3	D-1	19,500
3	P-4	15,100
5	P-2	16,600
5	Consultant	<u>20,000</u>
		71,200
		<u><u>71,200</u></u>

F. Potential for absorption

16. Should the Commission approve the draft resolution, there is potential for absorption of the human resources related to the proposed activities cited in paragraph 6 above, within section 20B.

17. Programme element 1.1(iv) - Editing, publication and distribution to Member States of National Drug Control Laws (E/NL series) and cumulative index of same - would in part be deferred to the biennium 1988-1989. A review of existing national legislation was initiated in 1985 by the Division of Narcotic Drugs, by circulation of a note verbale requesting Member States to up-date the information previously provided to the Secretary-General in response to that part of the annual reports questionnaire dealing with national legislation. Redeployment of resources from this programme element would entail cancellation of issuance of some legislation issued in the meantime.

18. Programme element 2.3(ii) -- Report to the Commission on Narcotic Drugs on a meeting of an expert group in 1986 to consider new analytical methodology, the status of international co-operation in this field and new trends in the illicit traffic in heroin -- would, in view of redeployment of funds from this programme element, need to be deferred to the biennium 1988-1989. Through the recent generous offer from the Government of the Federal Republic of Germany, this programme element could, however, be carried out with extrabudgetary resources within the biennium 1986-1987.

19. Savings from this programme element could be redeployed to finance three consultant work months to assist in the preparation of a preliminary draft of a convention for circulation by 15 August 1986.

20. In relation to paragraph 20.17 of the approved programme budget for the biennium 1986-1987 -- Report to the Commission on Narcotic Drugs on one expert group per year on treaty implementation - one expert group could be deferred to the biennium 1988-1989. Savings resulting from such deferral would be redeployed to finance two consultant work months to compile comments and/or proposed textual changes received from Members of the Commission and other interested Governments.

21. Subject to the approval of these proposed changes to the 1986-1987 programme budget, the Secretary-General would be prepared to initiate the drafting process in early March 1986, with a view to completing the text by mid-July 1986, so as to allow the necessary time for clearances and translations prior to the 15 August 1986 deadline established in paragraph 4 of the draft resolution.

Annex III

LIST OF DOCUMENTS BEFORE THE COMMISSION
AT ITS NINTH SPECIAL SESSION a/

<u>Document number</u>	<u>Agenda item</u>	<u>Title or description</u>
E/CN.7/1986/1	2	Provisional agenda
E/CN.7/1986/1/Add.1 and Corr.1 <u>b/</u>	2	Annotated provisional agenda
E/CN.7/1986/2 and Corr.1 <u>b/</u> and 2 <u>c/</u> and Add.1-3	3	Summary of Government comments on draft convention
E/CN.7/1986/3	3	Note on the draft convention
E/CN.7/1986/4	4	Note on Interregional HONLEA
E/CN.7/1986/5	5	Treaty implementation
E/CN.7/1986/6	6	Note on report of INCB
E/CN.7/1986/7	7	Note on report of UNFDAC
E/CN.7/1986/8	7	Co-ordination between drug control units
E/CN.7/1986/9	7	Recommendations from subsidiary bodies
E/CN.7/1986/10	7	Interim report of UNFDAC
E/CN.7/1986/11	7	Note on strategy and policies
E/CN.7/1986/11/Add.1-3	7	Reports of three expert groups
E/CN.7/1986/12	-	Letters addressed to Chairman
E/CN.7/1986/CRP.1 <u>b/</u>	7	Financial data from UNFDAC
E/CN.7/1986/CRP.2	2	Provisional timetable
E/CN.7/1986/CRP.3 <u>d/</u>	2	Provisional list of documents
E/CN.7/1986/CRP.4 <u>b/</u>	7	Review of UNFDAC activities
E/CN.7/1986/CRP.5 <u>d/</u>	5	Note on annual reports questionnaire
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E/CN.7/1986/CRP.8 <u>d/</u>	5	Drug control-related action by WHO
E/CN.7/1986/CRP.9	7	Recommendations from the Sub-Commission
E/CN.7/1986/NGO/1 <u>d/</u>	3	NGO statement from Inter-Parliamentary Union
E/CN.7/1986/INF.1	-	Information for participants
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E/CN.7/1986/L.1 and Add.1-10	-	Draft report on the ninth special session
E/CN.7/1986/L.2/Rev.1	6	Draft resolution: for sponsors see paragraph 93

a/ For various additional background documents, see list of documents in E/CN.7/1986/CRP.3

b/ English only

c/ French only

d/ English, French and Spanish only

E/CN.7/1986/L.3	5	Draft resolution: for sponsors see paragraph 63
E/CN.7/1986/L.4	5	Draft resolution: for sponsors see paragraph 64
E/CN.7/1986/L.5	3	Draft resolution: for sponsors see paragraph 32
E/CN.7/1986/L.6	3	Programme budget implications of draft resolution contained in document E/CN.7/1986/L.5
E/CN.7/1986/L.7	5	Draft resolution: for sponsors see paragraph 69
E/CN.7/1986/L.8	4	Draft decision: see paragraph 50
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E/CN.7/1986/L.10 and L.10* <u>e/</u>	5	Decisions: see paragraph 62
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E/INCB/1985/1/Supp.	6	Demand for and supply of opiates

e/ English, French and Spanish texts reissued for technical reasons

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