



INTERNATIONAL NARCOTICS CONTROL BOARD
Vienna

**SEMINAR
FOR
DRUG CONTROL
ADMINISTRATORS
IN
LATIN AMERICA
AND
THE CARIBBEAN**

UNDER THE AUSPICES
OF THE OFFICE
OF THE ATTORNEY GENERAL OF MEXICO

Mexico City, 1 – 11 December 1981

REPORT OF THE SEMINAR FOR DRUG CONTROL ADMINISTRATORS
AND LAW ENFORCEMENT OFFICERS
IN LATIN AMERICA AND THE CARIBBEAN

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A - PLENARY MEETINGS

CHAPTER I

ORGANIZATION OF THE SEMINAR AND ADMINISTRATIVE MATTERS

1) Opening and duration of the seminar

1. The seminar for drug control administrators in Latin America organized by the Secretariat of the International Narcotics Control Board under the auspices of the Attorney-General's Office of Mexico was held in Mexico-City from 1 to 11 December 1981.

2. Addressing the seminar, Lic. Oscar Flores (Attorney-General of Mexico) welcomed the participants and observers and stated that Mexico had undertaken a permanent campaign against the production and traffic of narcotic drugs and that as a result illicit cultivation of narcotic raw materials had been reduced by 90 per cent during the term of office of the President of the Republic, Lic. José Lopez Portillo. The Attorney-General reiterated the firm commitment of his country to continue the campaign with the same intensity. He acknowledged the firm and valuable help given by the Ministry of National Defense, and the effective work of the Ministry of Health and Public Welfare in the areas of prevention, treatment and rehabilitation of addicts and for their maintenance of a rigorous control on the production and marketing of pharmaceutical products.

3. Lic. Flores noted that the Mexican campaign against narcotic drugs had been carried out with the support and collaboration of all the countries affected by illicit production of, and traffic in, drugs. In this regard, he praised the quick intervention of the Ministry of Foreign Affairs regarding the implementation of the international conventions and bilateral agreements on this matter.

4. The Attorney-General pointed out that Mexico had made available to all the countries concerned the experience gained in respect of drug control and had been sharing the results and the failures of its efforts with visiting officials from other countries. He reiterated to the participants the permanent invitation to become acquainted with the Mexican programme in all of its operational stages. The Attorney-General concluded by expressing his confidence that the deliberations and the work to be done during the seminar would contribute to establish a wider collaboration with respect to drug control in this part of the world.

5. Dr. Ramon de la Fuente Muñiz (Representative of the International Narcotics Control Board) thanked the Government of Mexico for having hosted the seminar and welcomed the participants and observers noting that the main objectives of the seminar were to improve the systems of annual estimates of narcotic drugs and of statistical returns on narcotic

drugs and psychotropic substances essential to the work of the Board; to enable members of the INCB Secretariat to appreciate at first hand the specific problems of drug control in the countries of the region, as well as to assist in improving reporting by States in pursuit of Parties' obligations under the international treaties, and in general to promote co-operation among the countries of the region.

6. Dr. de la Fuente Muñiz pointed out that the reasons for the significant increase in drug abuse were very complex but that undoubtedly this phenomenon was associated with the fact that our culture was going through deep changes. The problem was even more serious since it affected mainly the young sectors of the population in our countries. He stated that the battle against drugs was a universal obligation and praised the determination of the Mexican Government in answering the challenge of the narcotics problem, standing firm in its covenant with the international community. On behalf of the INCB, Dr. de la Fuente Muñiz thanked the Attorney-General and the other Government representatives for their active and efficient participation in the battle which the Mexican Government has been waging against drugs.

7. Dr. Bror Rexed (Executive Director, United Nations Fund for Drug Abuse Control), said that when the INCB presented its plan for a regional Latin American seminar on drug control, UNFDAC readily agreed to support it because of the importance of developing a collaboration between the UN Drug Control Organizations and the Latin American Governments as well as between these Governments bilaterally. While national drug control campaigns are basic and essential for drug control, a regional and harmonized effort is none the less necessary to stem production and stop traffic of illicit drugs. The South-American Agreement had already within a short time become a cornerstone in this work. Now was the time to broaden this effort.

8. The invitation of the Mexican Government to host the seminar gave the needed economic and administrative stability to the plan. However, the invitation of the Mexican Government was more important than just economic. Mexico was once one of the world's main illegal cultivators of poppy and illegal opium and one of its main heroin producers. The Mexican Government decided to rid itself of this scourge. The Mexican authorities now have five years experience of a "permanent campaign" that has reduced this illegal production to a small fraction of its initial size. It is a campaign unique in its rational planning and determined efficacy, using the most modern law enforcement techniques. Few countries, if any, can show something comparable in drug control. Homage should be paid to the Attorney-General, Lic. Oscar Flores, for his firm leadership in building up this campaign.

9. But the Government is doing more than this. Development programmes have been set up for the backward and isolated mountainous areas where illegal narcotics production still is a temptation for the poor farmers. The effort is to give a satisfactory economic stability to the population and to raise their quality of life, in short to give an alternative to the poppy economy. An important part of the programme of the seminar will be to give the participants a clear picture of these efforts, which have created an experience to be studied and used by all of us.

10. Another experience to partake is the indispensable work of the Ministry of Health in organizing treatment facilities and in training the relevant groups of personnel in the health and social services. This work is supported in the very active Mexican Institute of Psychiatry by investigations, by studies of epidemiological assessment and by planning preventive community efforts.

11. Dr. Rexed stressed that a point he wanted to make in mentioning these various drug abuse control programmes in Mexico was that the Mexican authorities and institutions also served as resource bases in our common fight against drug abuse. This had special importance for the Latin American countries. The Mexican Government had already in many instances showed in practice its readiness to accept individual fellowships for study and training, and to let its scientific, medical and legal experts give consultant services to other Governments, who wanted to share the Mexican experience. Dr. Rexed expressed the hope that the seminar would consider the different ways in which the Mexican experience could be shared in international collaboration, without putting an undue strain on the host Government.

12. Dr. G.M. Ling (Director, Division of Narcotic Drugs) praised the Mexican authorities for their combined efforts to make an effective and lasting campaign against drug abuse and for their contribution of financial, technological and human resources which permitted the implementation of such an efficient programme.

13. Dr. Ling pointed out that drug abuse is spread by local and international drug traffickers, who have enormous financial resources at their disposal to provide and maintain illicit traffic in these dangerous substances. He stressed the need for every country to have reliable and objective data collecting and information systems in order to evaluate and monitor the degree and the severity of this problem; and at the same time, the need for each country to allocate the resources required for activities designed to control and reduce both the demand and the supply of drugs. These activities should embrace an integrated approach to all aspects of the problem, in particular law enforcement and legal controls, in order to provide to the extent possible a drug-free environment.

14. Dr. Ling noted that continuing community efforts must also be directed to the disquieting increase in the number of young people in many developing countries who inhale volatile solvents such as acetone, glue, gasoline and paint-thinners and, in this context, praised the work of the Government of Mexico and the quality of the research investigations of renowned scientists in that country, such as Dr. Fernando-Guardiola and Professor Alfonso Escobar, who had carried out outstanding work designed to clarify the neuro-pathological consequences of the misuse and abuse of these inhalants.

15. The speaker stated that such research findings as well as other work on the nature and characteristics of the misuse and abuse of psychotropic drugs should be made available in a form that could be readily exchanged and utilized by countries not only in this region but elsewhere. Training and up-date programmes should be continued for

national personnel who play, or are expected to play, leading roles with respect to the management of drug related problems in their own countries. Attention should be given to needed legislative controls which are indispensable in national efforts to prevent and possibly eliminate drug abuse.

16. Dr. Ling expressed his confidence that this and related issues which require further study and clarification would be given due consideration and analysis by the audience and assured the participants of the continuing assistance of the United Nations Division of Narcotic Drugs in this challenging and most important task.

17. On behalf of the President of the Republic, Lic. José López Portillo, Dr. Mario Calles López Negrete (Minister of Health and Public Welfare), made the inaugural statement to the seminar.

18. Dr. Calles highlighted the collective and individual responsibility of each country in the endeavour to find a solution to the problems facing them. Specifically, he referred to the struggle against the illicit production and consumption of, and traffic in, drugs, where international cooperation and a disinterested and efficient mutual assistance among countries was not only desirable but imperative. In regard to this common struggle Dr. Calles also observed that during the last decades all governments had intensified their efforts through preventive, repressive and therapeutic measures.

19. Referring to Mexico, Dr. Calles said that the combined action carried out by the Ministry of Foreign Affairs, the Office of the Attorney-General and the Ministry of Health and Public Welfare permitted the control with greater efficiency of all aspects of the problem, complying with the decision of the President of the Republic to deter Mexicans from participating either as victims or as authors of activities which constituted a crime against humanity. He added that Mexico would continue zealously to monitor the enforcement of the law and to increase its preventive, repressive and rehabilitation measures.

20. Again on behalf of the President of the Republic, Dr. Calles welcomed the participants and expressed his good wishes for the success of the seminar.

2) Attendance

21. The seminar was attended by participants from 23 countries in Latin America and the Caribbean, by observers from four other countries and by representatives of five international organizations (annex 5).

3) Election of Officers

22. The seminar elected the following officers by consensus:

Chairman:	Lic. Samuel Alva Leyva (Mexico)
Vice-Chairman:	Dra. Ofelia Bachini (Uruguay) (Drug Control Administrators group)
Vice-Chairman:	Mr. Ensley L. Pierre (Dominica) (Law Enforcement group)

4) Secretariat

23. The Secretariat of the International Narcotics Control Board served the plenary sessions of the seminar and the Drug Control Administrators group as secretariat and the Division of Narcotic Drugs of the United Nations served the Law Enforcement group as secretariat. The Office of the Attorney-General's office of Mexico provided secretarial facilities as well as interpretation and translation services.

5) Agenda

24. The time-table for plenary meetings is at annex 2. The time-table for the Drug Control Administrators Group is at annex 3 and that for the Law Enforcement Group is at annex 4.

6) Working groups

25. The seminar was held in plenary sessions from 1 to 4 December and on 11 December. From 7 to 10 December, two groups were constituted and met simultaneously: one group for Drug Control Administrators and one group for Law Enforcement Officers. On 4 December the participants visited the hangar of the Office of the Attorney-General at the airport. A presentation was made on the systems for detection of areas of cultivation and a visit of the facilities was organized. On 5 December, the participants were flown, courtesy of the Office of the Attorney-General, to the City of Culiacan (Sinaloa) from which they visited by helicopter the eradication areas and a village where a community development project is being carried out.

7) Documentation

26. The participants were provided with documentation on the major topics discussed during the seminar. A list of documents distributed by the secretariat is at annex 8.

27. Before leaving for the seminar, the drug control administrators had been requested to prepare a drug control country profile on the basis of a model questionnaire (see annex 6) which was sent to them.

28. Similarly, the law enforcement officers were also requested by the Division of Narcotic Drugs to fill out a special questionnaire (see annex 7).

29. On the basis of these questionnaires, the participants had the opportunity to make a brief presentation on the drug control situation in their countries. Copies of these presentations were distributed, in the original language, to all participants.

CHAPTER II

THE INTERNATIONAL DRUG CONTROL SYSTEM OF THE UNITED NATIONS

1. Introduction

30. In introducing this item, Mr. B. Juppín de Fondaumière (Deputy Secretary of the INCB) explained that the international drug control system had been gradually developed since the beginning of this century. The first international drug control treaty was the International Opium Convention signed at The Hague in 1912. With the creation of the League of Nations, an "Advisory Committee on Traffic in Opium and Other Dangerous Drugs" composed of government representatives was established. The International Opium Convention of 1925 established a statistical system of control over narcotic drugs based on opium and coca leaf. It also created a Permanent Central Board to supervise the system of control over production, manufacture, trade and distribution of narcotic drugs. As these controls took hold, evidence of illicit diversion from sources of legal manufacture continued to mount. In the Convention of 1931 therefore, Governments were for the first time required to furnish annual estimates of their needs for manufactured narcotic drugs with a view to limiting the supplies of such drugs to the quantities needed for medical and scientific purposes. A Drug Supervisory Body was created under this treaty to examine such estimates and to establish annual requirements for those countries which failed to submit their own estimates. The last major treaty of the League of Nations was the "1936 Convention for the Suppression of the Illicit Traffic", which for the first time co-ordinated international co-operation in matters of penal law.

31. The international functions of narcotics control were formally transferred from the organs of the League of Nations to the organs of the United Nations in 1946. The League's Advisory Committee on Traffic in Opium and Other Dangerous Drugs was replaced by the United Nations Commission on Narcotic Drugs of the Economic and Social Council. The Permanent Central Board and Drug Supervisory Body continued to function until 1968 when they were replaced by the International Narcotics Control Board following the entry into force of the Single Convention on Narcotic Drugs, 1961.

32. The need to extend the scope of control of the 1925 and 1931 Conventions to the new "Synthetic drugs" was resolved by the Protocol of 1948. Another Protocol was signed in 1953 requiring Governments to control poppy cultivation and the production of opium by establishing opium monopolies. Only seven States mentioned by name were permitted to produce opium for export. From its beginning, however, the United Nations was concerned with establishing a simplified and unified system of international drug control. This task was accomplished by the adoption of the Single Convention on Narcotic Drugs, 1961.

33. The 1961 Convention provided for two distinct "international drug control organs" within the framework of the United Nations: the Commission on Narcotic Drugs of the Economic and Social Council and the International Narcotics Control Board. The different but complementary nature of these two organs may be summarized as follows:

- The Commission on Narcotic Drugs is one of the six functional commissions of the Economic and Social Council. Composed of governmental representatives (at present 30 Members), it is empowered to consider all matters pertaining to the aims of the Convention;
- The International Narcotics Control Board (INCB) is an independent, semi-judicial organ composed of 13 Members (its membership was increased from 11 to 13 by the 1972 Protocol amending the 1961 Convention) elected by the Economic and Social Council not as representatives of their Governments but in their personal capacity. The Board's functions are to "endeavour to limit the cultivation, production, manufacture and use of drugs to an adequate amount required for medical and scientific purposes, to ensure their availability for such purposes and to prevent illicit cultivation, production and manufacture of, and illicit trafficking in and use of, drugs" (article 9, paragraph 4 of the 1961 Convention as amended by the 1972 Protocol). The Board is also required by the Convention to evaluate and ensure the execution by Governments of the provisions of the Convention. It is mainly because of this function, of a judicial nature, that the Board is independent of Governments in carrying out its functions. This independence is guaranteed by the Economic and Social Council.

34. The secretariat services of the Commission and the Board are furnished by the Secretary-General of the United Nations:

- the Division of Narcotic Drugs acts as secretariat to the Commission. It also carries out the functions entrusted to the Secretary-General of the United Nations by the drug control treaties;
- the secretariat of the INCB, while administratively dependent on the Secretary-General of the United Nations, takes instructions exclusively from the INCB itself in all matters of drug control.

35. Next to the international drug control organs and their secretariats, a voluntary trust fund was created in 1971: the United Nations Fund for Drug Abuse Control (UNFDAC). It is responsible for financing an effective and co-ordinated approach to the problem of drug abuse, as part of the United Nations response to urgent requests from Governments for assistance in support of their own drug control efforts. The role of UNFDAC is referred to in more detail below.

2. The international drug control organs of the United Nations

a) The role of the International Narcotics Control Board (INCB)

36. Mr. A. Bahi (Secretary of the INCB) emphasized that the Board's overall task was to promote compliance by governments with the various drug control treaties in the interest of the international community as a whole. He noted that the 13 Members of the Board were elected for five year terms by the Economic and Social Council. Board members must be competent, impartial and disinterested persons who command general confidence. Ten members are chosen from a general list proposed by governments, and three members from a list proposed by the World Health Organization, ensuring that medical, pharmacological or pharmaceutical experience is represented on the Board. Once elected however, members of the Board do not represent their governments or the World Health Organization, but act in their personal capacity. The Board's function were threefold:

- First it is charged with the administration of the legal movement of narcotic drugs and psychotropic substances with the precise aim of limiting their production, manufacture, trade and use exclusively to medical and scientific needs. This was implemented by means of an ex post facto statistical control system provided for by the treaties. It was not necessary to analyse this system in detail for the time being since it was the subject of full sessions during the second week of the seminar;

- Second, in co-operation with Governments, the Board has to see that legitimate demand for narcotic drugs was satisfied through the maintenance of a proper balance between supply and demand. The Convention therefore entrusted the Board with the administration of the "estimates system" which enabled it, by analysing future licit requirements of narcotic drugs, to verify in advance whether these requirements were reasonable. This system would also be discussed in detail during the second week;

- Third, the Convention stipulates that the Board should endeavour, in co-operation with governments, to prevent the illegal or illicit cultivation, production, manufacture, traffic and use of drugs.

37. The Secretary of the INCB further underlined the following points: In order to ascertain whether the objectives of the treaties are being attained, the Board may investigate all stages in the licit drug trade. This presupposes that the Board has at its disposal the relevant information on the world drug situation. The operation of the control system, therefore, depends on the reports and statistics which governments furnish on a regular and continuous basis. Only through a steady co-operation and "a continuing dialogue" between national administrations and the Board will the latter be able to perform its duties.

Evaluation and support of national effort

38. In examining and analyzing the information which it receives from some 190 countries and territories, the Board is in a position to learn whether the treaties are being applied throughout the world in as an effective a manner as possible. Through its continuous evaluation of national efforts, the Board may be able to recommend action and suggest adjustments. In particular, it should endeavour to lend assistance to and facilitate national action towards an increased effectiveness of the drug control system. In appropriate cases it may recommend technical and or financial assistance to governments in support of their efforts to comply with their treaty obligations.

39. In the discharge of its functions the Board is required to provide the mechanism for a continuing dialogue with Governments. It is therefore in continuous correspondence with the competent authorities of almost all countries in the world. It also renders direct assistance to governments when appropriate. Such assistance may be provided by training national drug control administrators at the Board's new headquarters in Vienna or by training national officials at seminars - such as the present one - or sur place in countries which face specific problems in applying the conventions.

Further methods of action

40. If necessary, the Board may make use of various means of persuasion or pressure. It may request an explanation from the government concerned if it is suspected that the treaty provisions are not being observed, or it may propose consultations with the government in question. This is not only the case if treaty provisions are being disregarded but also if - even without a failure in implementing the provisions of the treaties - a country has become or if there is a serious risk that it may become an important center of illicit drug activity. The Board may in these cases propose to a government that a study of the matter be carried out in its territory. If needed, the Board may call for remedial measures, but, in general, it may be said that the Board is more interested in assisting a country in improving the situation with a view to preventing major difficulties from arising than it is in censuring short-comings.

41. If the Board's efforts to remedy the situation turn out to be in vain, it may call the attention of the other Parties, the Commission on Narcotic Drugs and the Economic and Social Council to the matter. The Council, in its turn may bring the matter before the General Assembly. Finally, as a last resort, the Board has the power to recommend that the Parties stop import and/or export of drugs from or to the defaulting country.

The annual reports

42. Based on its activities, the Board publishes an annual report which provides a comprehensive survey of the drug control situation in various parts of the world. As an impartial observer the Board tries to identify or predict dangerous trends and suggests necessary measures to be taken. In this way the annual report becomes an important instrument in the Board's endeavour to promote effective domestic and international drug control. The annual reports are supplemented by four more technical reports, (namely by "Estimated world requirements of narcotic drugs", "Statistics on narcotic drugs", "Comparative statement of estimates and statistics on narcotic drugs" and "Statistics on psychotropic substances").

Sessions of the INCB

43. The full Board is required by the 1961 Convention to meet at least twice a year, though it may come together as often as it deems necessary. Between sessions, the policies decided upon by the Board, in pursuance of its mandate under the treaties, are carried out by its secretariat in consultation with the President and other members of the Board as appropriate.

Secretariat of the INCB

44. The Secretary-General of the United Nations provides a small staff within the United Nations Secretariat to assist the Board in its day-to-day work. While administratively dependent on the Secretary-General, the secretariat of the Board takes instructions exclusively from the INCB itself in all matters of drug control.

Cooperation with the other international bodies concerned with international drug control

45. These include not only the Economic and Social Council and its Commission on Narcotic Drugs but also the relevant specialized agencies of the United Nations, particularly the World Health Organization.

46. At the secretariat level, there is close co-operation on a daily basis between the secretariat of the INCB on the one hand and the Division of Narcotic Drugs and UNFDAC on the other. The secretariat of the INCB also maintains working relationships with organizations having a special agreement with the Economic and Social Council (such as the International Criminal Police Organization - ICPO/Interpol), intergovernmental organizations (such as the Customs Co-operation Council, the Permanent Secretariat of the South American Agreement on Narcotic Drugs and Psychotropic Substances) and non-governmental organizations which have a direct competence in the subject matter.

b) The role of the United Nations Commission on Narcotic Drugs, the Secretary-General and the Division of Narcotic Drugs

47. Dr. G.M. Ling (Director, Division of Narcotic Drugs), after a brief outline of the development of international drug control in the inter-war years, explained that the responsibilities of the League of Nations in this field were transferred to the United Nations.

48. At its first session in February 1946, the Economic and Social Council created the Commission on Narcotic Drugs as one of its functional commissions. The Commission thus succeeded to the League's Advisory Committee on Traffic in Opium and Other Dangerous Drugs. The Commission itself first met on 27 November 1946 in Lake Success, New York.

49. This Commission was originally composed of 15 Members of the United Nations, but in 1961 the membership was increased to 21 States and in 1966 to 24. These States are elected by the Economic and Social Council from among the Members of the United Nations and of the specialized agencies or from among Parties to the Single Convention. As from 1972 there were 30 Members of the Commission. Members are elected with due regard to adequate representation of three categories of States: first, countries which are important producers of opium or coca leaves; secondly, countries which are important in the field of the manufacture of narcotic drugs or psychotropic substances; and thirdly, countries in which drug addiction or the illicit traffic in narcotic drugs constitute an important problem.

50. In the resolution by which ECOSOC created the Commission, the terms of reference of the Commission were established as follows:

The Commission

(i) assists ECOSOC in exercising such powers of supervision over the application of international conventions and agreements dealing with narcotic drugs as may be assumed by or conferred on ECOSOC;

(ii) advises ECOSOC on all matters pertaining to the control of narcotic drugs and prepares such draft international conventions as may be necessary;

(iii) considers what changes may be required in the existing machinery for the international control of narcotic drugs and submits proposals to ECOSOC;

(iv) performs such other functions relating to narcotic drugs as ECOSOC may direct.

51. The Commission has a permanent secretariat, the Division of Narcotic Drugs whose Director is the representative of the Secretary-General in the context of the references to the Secretary-General in the international drug control treaties. The Division also came into being in 1946 following the establishment of the Commission. It was first located in New York, then moved to Geneva in 1955 and again moved in 1979 to Vienna. Its staff comprises 35 members.

52. To have a clearer idea of the actual functions of the Commission, it is necessary to refer to the Treaties - the Single Convention on the one hand and the Convention on Psychotropic Substances on the other. It is in article 8 of the Single Convention and article 17 of the Convention on Psychotropic Substances that the general functions are set forth.

53. As concerns the Single Convention on Narcotic Drugs, article 8 reads as follows:

"The Commission is authorized to consider all matters pertaining to the aims of this Convention and in particular (a) to amend the Schedules in accordance with article 3; (b) to call to the attention of the Board any matters which may be relevant to the functions of the Board; (c) to make recommendations for the implementation of the aims and provisions of this Convention including programmes of scientific or technical nature; and (d) to draw the attention of non-Parties to decisions and recommendations which it adopts under this Convention, with a view to their considering taking action in accordance therewith."

Some ten years after the drafting of this Convention, when the Convention on Psychotropic Substances was drafted, the Plenipotentiary Conference was somewhat more generous in describing the functions, and in article 17 states simply:

"The Commission may consider all matters pertaining to the aims of this Convention and to the implementation of its provisions and may make recommendations relating thereto."

54. One must first look into the Commission's treaty drafting function since the treaty system is the starting point of the international control that we know today.

55. The Commission on Narcotic Drugs, at its very first session in 1946, turned its attention to the necessity of bringing new synthetic drugs under full control. This resulted in the Paris Protocol of 1948, which authorized the World Health Organization to place under control any new drugs which could not be so controlled under the relevant provisions of the 1931 Convention. Again, in 1953 a Protocol was adopted limiting and regulating the cultivation of the poppy plant and the production of trade in and use of opium.

56. By the latter part of the 1950s the international control system which, as we know, had been developed by a succession of conventions, agreements and protocols, either under the auspices of the League of Nations or under the auspices of the United Nations, had become a very highly complicated system. The Economic and Social Council accordingly authorized the Commission on Narcotic Drugs to propose a new international instrument which, if adopted, would replace the existing nine treaties and simplify the international control machinery. On the basis of a draft prepared by the Commission a Plenipotentiary Conference was convened at United Nations Headquarters from January to March 1961. On 30 March 1961 that Conference adopted and opened for signature the Single Convention on Narcotic Drugs, 1961.

57. This Convention, which came into force on 13 December 1964, marked a major milestone in the history of international narcotics control. The Convention successfully codified the existing multilateral treaty laws in this field with the exception of certain provisions of the 1936 Convention on Illicit Traffic. It simplified the international control machinery by creating the International Narcotics Control Board to replace its two predecessor bodies and it introduced a control system on the cultivation of plants grown as the raw materials of natural narcotic drugs, calling for the establishment or maintenance of national monopolies to regulate such cultivation. This Convention has met with broad acceptance in the international community. At present 112 States are Parties to it in its unamended form, 76 are Parties to it in its amended form. It therefore constitutes one of the cornerstones of the international drug control system.

58. A Protocol in 1972 amended the Single Convention so as to underscore the importance of providing treatment, education, rehabilitation and social re-integration as an alternative to, or in addition to, imprisonment for abusers having committed a drug offence. It also enhances the role of the International Narcotics Control Board in the field of drug control.

59. About the same time that the Plenipotentiary Conference met to draft the Single Convention, increasing concern was expressed in many quarters over the growing abuse of a number of substances such as barbiturates, amphetamines and tranquillizers. These substances were not included in the Single Convention, but continued to be monitored by the World Health Organization, and by the Commission on Narcotic Drugs, both of which made various recommendations for control through the years. But even as was earlier the case with narcotic drugs, it became evident little by little that the Governments could not deal with the problems of abuse of these substances without international co-operation and action.

60. Consequently, the Commission on Narcotic Drugs was requested by the Economic and Social Council to draft a Convention for the International Control of Psychotropic Substances. This Convention, which extends international control measures to hallucinogenic drugs, amphetamines, barbiturates and non-barbiturate sedatives, was adopted by a Plenipotentiary Conference in Vienna on 21 February 1971 and entered into force on 16 August 1976.

61. The Schedules to the Conventions list the narcotic drugs and psychotropic substances under international control and the scope of control varies according to the respective Schedule. The scope of control is clarified in article 2 of the Single Convention and article 1 of the Convention on Psychotropic Substances. Clearly, however, in the light of medical and scientific development it is reasonable to anticipate the need to bring new drugs under international control and to add them to the Schedules or possibly to transfer drugs from one Schedule to another or even to remove them from control.

62. The decision to amend the Schedules belongs to the Commission. The Commission's decision, taken with the advice of the World Health Organization is final unless the ECOSOC alters or reverses the decision

on the basis of an appeal made by a Party. Parties to the Convention are obliged to notify the Secretary-General of the United Nations (through the Director of the Division of Narcotic Drugs) of any information which in their opinion may require an amendment to any of the Schedules. This information may be in respect of a substance or preparation which is being produced or manufactured in a Party's own or in any other country. The notification should include pertinent evidence and data enabling an expert body (in this case the World Health Organization) to assess the abuse liability of the substance concerned.

63. The Secretary-General is obliged to transmit the notification and any information he considers relevant to the Parties to the Conventions, to the Commission and to the World Health Organization.

64. Upon receipt of the notification, Parties should examine, in the light of the available information, the possibility of placing the substance under national control on a provisional basis. If the World Health Organization finds that a change in scheduling is justified (either an addition or deletion, or a change from one Schedule to another) it so notifies the Secretary-General. The Secretary-General in turn places the question before the Commission on Narcotic Drugs.

65. The decision of the Commission is communicated to all States Members of the United Nations, to non-member States Parties to the Conventions, to the World Health Organization and to the International Narcotics Control Board. Parties are obliged, and non Parties urged, to apply such a decision at the national level by taking the earliest possible steps to amend their laws and regulations accordingly.

66. If a Party disagrees with the decision of the Commission, it can apply to the Economic and Social Council to review that decision and possibly to reverse or to alter it.

67. A specific task entrusted to the Secretary-General under article 18 of the Single Convention and article 16 of the Convention on Psychotropic Substances is to receive information from Parties as to the working of the Treaties in their territories. It is thus that annual reports are supposed to be submitted to the Secretary-General, reports which are distinct from the statistical returns submitted to the Board. These reporting requirements, will be the subject of more detailed discussion later in this seminar when the question of annual reports which are supposed to be submitted to the Secretary-General is examined.

68. In this context, it should be pointed out that the Commission decides the form of the questionnaire which will be sent to Governments and from the reports received the Division of Narcotic Drugs produces a certain number of background information documents for the Commission's consideration.

69. These reports refer to the general drug abuse and illicit traffic situation as well as certain general legal and control measures such as legislation on the national levels.

70. The role of the Division as part of the UN Secretariat stems both from the international treaties and the Charter of the United Nations.

71. The Division has a duty to perform functions entrusted to it by the General Assembly and ECOSOC. It also serves as secretariat to the Commission which is the policy-making body. The Division assists the Commission in drafting and documenting its decisions and resolutions, and recommends them whenever appropriate. The Division also services plenipotentiary conferences such as the 1971 Conference on Psychotropic Substances in Vienna or the 1972 Conference in Geneva during which the Protocol amending the Single Convention was drafted and adopted.

72. The functions of the Division stem from resolutions and decisions of such policy-making bodies as the General Assembly, ECOSOC and the Commission on Narcotic Drugs as well as from international treaties. The treaty system is the result of a long development which is parallel to the evolution in the political, technical and social fields. It is a work of compromise between differing and sometimes conflicting concepts and interests. Against this background, the Division has to apply control measures which aim at counter-acting the abuse of all drugs listed in the treaties on a worldwide basis.

73. Important aspects of the work of the Division include the following:

(a) The first concerns the treaties in relation to which the Division takes specific action: gathering and processing of information furnished by governments; analysis and research, which is communicated to the policy-making bodies and to governments; secretariat activities on behalf of the Secretary-General or the Commission on Narcotic Drugs.

(b) The second aspect of the Division's work is to foster co-operation between governments and to assist governments in applying the treaties and the decisions of the policy-making bodies. This is done through advice on treaties; the exchange of scientific and technical information; and publishing of relevant material.

(c) Another aspect of the activities of the Division, is the work of its Narcotics Laboratory Section. Generally speaking, the Laboratory furthermore carries out whatever research the Commission on Narcotic Drugs may request of it. The Laboratory is responsible, inter alia, for the co-ordination of research carried out by scientists and institutions designed by their respective Governments to collaborate in various United Nations scientific research programmes, in connexion with narcotic drugs or psychotropic substances. This is done with a view to accelerating progress on the subject while avoiding duplication of effort. Secondly, the Laboratory, often at the request of specific Governments, provides basic research materials such as samples of narcotic drugs or other dependence-producing drugs and offers assistance and information on research on cannabis, khat and their components. The Laboratory is also encouraged to carry out research to facilitate the analytical and practical aspects of drug identification. The Laboratory also collects and maintains a card-index reference system on scientific literature and is structuring a multilingual dictionary which contains names, synonyms, formulae and the structure of narcotic drugs and psychotropic substances.

(d) An important part of the work of the Division is in relation to the general policy of the Commission, ECOSOC and the General Assembly with respect to the drug abuse problem. In this connexion, the Division collects and analyses data on the forms of consumption and abuse of drugs, the treatment, rehabilitation and social reintegration of drug dependents and abusers and drafts relevant documents for the Commission and other bodies. It studies the trends of illicit traffic and the methods for fighting it.

(e) In addition to providing reference and other documents for the Commission, the Division also furnishes information to the specialist and general public by publishing a quarterly Bulletin on Narcotics and monthly Information Letter. It replies to numerous requests for information from institutions, civic groups and the general public and also maintains a collection of films and audio-visual material which are lent to governments and interested organizations.

74. A number of specialized agencies, (WHO, FAO, ILO, UNESCO) as well as the INCB and Interpol participate in the international effort against drug abuse. The mandate of the Division as defined by the Commission on Narcotic Drugs, is to act as focal point for harmonizing the activities of these bodies in terms of intentions and principles. It is the normal unit for ensuring liaison between these different organizations.

75. In closing, it should be pointed out that the two most recent treaties, that is, the Single Convention on the one hand (in both its original and its amended versions), and the Convention on Psychotropic Substances on the other, form the solid juridical base on which international drug control measures are based today.

76. The Commission on Narcotic Drugs and the International Narcotics Control Board, both of which report to the Economic and Social Council on their respective tasks, as well as UNFDAC, have played and will continue to play an important role in the field of international drug control. The various international instruments can only bear fruit however if they are thoroughly and honestly implemented at the national level, because this is the effective level of control. It is precisely because of that fact that meetings such as this seminar are so important - so that there can be direct contact and exchange between those international bodies which are entrusted with certain control measures, and the practical executing agents on the national levels.

3. The United Nations Fund for Drug Abuse Control

The Fund

77. Dr. B. Rexed (Executive-Director, UNFDAC) pointed out that UNFDAC functioned as a complement to the two other secretariat units of the UN drug control system, the Division of Narcotic Drugs (DND) and the secretariat of the International Narcotics Control Board (INCB). UNFDAC was created in 1971 when the awareness of the growing drug abuse problem all around the world made it necessary to find means of strengthening the international collaboration in the fight against drug abuse.

78. UNFDAC is a voluntary trust fund which means that it has no part of the regular UN budget but is wholly dependent on voluntary contributions. The Executive Director as chief of the Fund reports directly to the Secretary General which thus is the only direct command line. In practice, however, the annual report of the fund is discussed in detail by the Commission on Narcotic Drugs, and the criticism and proposals put forward by the Delegations of the Commission are the real guidelines for the programming and functioning of the Fund. Additionally the Fund convokes once or twice every year an informal meeting with interested delegations of the Commission to give them additional information on the progress of the work during the year and to describe the current financial situation of the Fund.

79. During the last two years the Commission has developed a Global Strategy Plan for the world wide fight against drug abuse. This plan gives a general set of principles also for the work of UNFDAC, and it also contains a complete list of projects to be carried out during the next few years, using extra budgetary resources. This priority list is an important concrete guide line for the programming of the Fund's work.

Finacial resources

80. During its ten years of existence UNFDAC has received donations coming close to a sum of 60 million US dollars. The yearly budget has increased slowly, and during the last years it has been kept at the level of about 9 million US dollars. The budget for 1982, which has already been accepted by UN Headquarters, amounts to 9.3 million US dollars.

81. The Fund does not execute the projects it is financing. The execution is always either directly through the Governments concerned, through United Nations organizations or through the Specialized Agencies (for instance DND, WHO, UNESCO, ILO). Projects for funding can be proposed by Governments, Specialized Agencies or Intergovernmental or Non-Governmental organizations. After a technical and feasibility review of the projects, the Executive Director decides which of them are going to be supported. In taking these decisions, he obviously follows the advice of the Commission on Narcotic Drugs as well as the recommendations contained in the Global Strategy Plan.

82. When we consider, that the volume of illegal traffic probably amounts to a value of the order of magnitude of 200 billion US dollars, it is evident that the resources of UNFDAC can only cover the very barest minimum of international collaboration. The UN regular budget for INCB and DND amounts to less than 5 million US dollars. The international campaign against illegal production and trafficking is really a parallel to the biblical fight between David and Goliath.

The programme

83. During the last few years rather strict priorities have developed for the use of the resources of the Fund. A list of these priorities might be as follows:

- 1) The limitation and eradication of poppy cultivation. The major areas for this cultivation are the South-East Asia, the South-West Asia and of course, Mexico. While the government of Mexico is continuing its campaign for eradication without international support, the other governments involved have all concluded agreements for collaboration with UNFDAC and are receiving varying amounts of support. These countries' efforts are supported through agricultural projects to create an alternative cultivation (crop substitution), irrigation schemes, health services development for treatment and rehabilitation, prevention activities, and information and education projects. In some of these countries there is also a support of law enforcement activities. Such a coordinated country programme really constitutes a development effort for the isolated and often very poor regions where poppy is illegally cultivated. In each country UNFDAC is represented by the Resident Representative of the UNDP, through whose office the various component sectors of the programme are coordinated.
- 2) The curtailing of illegal drug traffic, both nationally and between countries. An important part of these projects support the activities of police and customs authorities along the trade routes from the Asian cultivation centers towards Europe and North America. There are also law enforcement projects concerned with training of personnel, build up of scientific diagnosis laboratories, equipping police and customs authorities with for instances telecommunication facilities, and organizing international seminars and working groups. Most of this support is channeled through DND.
- 3) Treatment and prevention programmes in Latin America. During 1981 and in most cases continuing in 1982 such projects have been supported in the following countries. Information and education campaign in Argentina; information, epidemiological research, treatment and rehabilitation support and law enforcement projects in Peru; epidemiological studies and treatment and rehabilitation support in Bolivia; mental health personnel training in Ecuador; health services development and support of laboratory development in Colombia; epidemiological assessment studies in Brazil and Paraguay. The South American Agreement is supported with a computerized information unit in its permanent secretariat in Buenos Aires.

It is hoped that the present seminar will give the impetus for better assessment of the drug abuse situation in more Latin American countries, which would make it possible to define further projects in these countries in the area of prevention education, and health and rehabilitation.

- 4) Epidemiological assessments studies in Africa. Currently projects are being discussed in Ethiopia, Kenya, Zambia and Zimbabwe. Earlier such projects have been supported in some West African countries. Though these projects are small, it is an important start to build a better knowledge of the situation of drug abuse in Africa, something which has been underlined in recent resolutions in the Organization of African Unity.
- 5) Projects in the Specialized Agencies. WHO, UNESCO, ILO and FAO have been given support for various investigations and research projects in their relevant areas of work. As mentioned earlier, the DND receives fairly large scale support for its activities in law enforcement, advice on legal and administrative matters, research and scientific diagnostic activities, and demand reduction. When it is taken into account that the Division of Narcotic Drugs executes all the law enforcement component of country programmes as well as projects to diminish international traffic, it can be noted that as much as 25% of the budget of UNFDAC is channeled through DND.

The Future

84. There is no doubt that there are many unmet needs for international collaboration in Latin America. UNFDAC, together with DND and INCB, is ready to do its utmost to build up new programmes relevant to these needs. Small funds have been used so far, but they have created an awareness of the situation and have been helping to form a basis for political action.

85. It is our hope that this seminar will contribute to a definition of the situation in drug abuse in Latin America, which would help identify the needs for future bilateral and multilateral collaboration. On such a basis, programmes for collaboration could be defined and could be taken up by the United Nations Organizations in their support for the fight against drug abuse in Latin America. We look forward to many government requests in the future.

CHAPTER III

ANNUAL REPORTS SUBMITTED TO THE SECRETARY-GENERAL
OF THE UNITED NATIONS ON THE WORKING OF THE CONVENTIONS

86. Mr. P.K. Bailey (Chief, Treaty Implementation and Commission Secretariat Section, DND) stated that at its regular sessions, the Commission on Narcotic Drugs examined the current international situation with respect to narcotic drugs and psychotropic substances. This examination is based for the greater part on information received from Governments which is collated and processed for the Commission's attention by the Division of Narcotic Drugs. It is clearly of the greatest importance therefore that Governments should furnish the Commission, through the Secretary-General, with all the information which may assist it in performing its task.

87. Most of the international treaties in the drug control field have foreseen a system of obligatory reporting by Parties. Thus, article 21 of the 1912 Hague Convention called for Parties to communicate to one another through the Ministry of Foreign Affairs of the Netherlands the text of existing and future legislation on narcotics as well as statistical trade data. The 1925 Agreement, which related to opium smoking, obliged Parties to furnish data on the number of opium smokers to the Secretary-General of the League of Nations for publication of that data. The 1931 and 1936 Conventions, as well as the 1953 Protocol, required Parties to furnish annual reports on the working of those treaties in their territories. The 1946 and 1948 Protocols also created obligations to furnish reports. The general objective of all such reporting is to supply an accurate and complete data as possible to the Parties, to the treaties or to international policy making bodies.

88. As far as the Single Convention is concerned the information required of Parties in respect of narcotic drugs is prescribed in article 18 paragraph 1 and consists, in general, of "such information as the Commission may request as being necessary for the performance of its functions", as well as data in four specific areas:

- "(a) An annual report on the working of the Convention within each of their territories;
- (b) The text of all laws and regulations from time to time promulgated in order to give effect to this Convention;
- (c) Such particulars as the Commission shall determine concerning cases of illicit traffic, including particulars of each case of illicit traffic discovered which may be of importance, because of the light thrown on the source from which drugs are obtained for the illicit traffic, or because of quantities involved or the method employed by illicit traffickers, and

- (d) The names and addresses of the governmental authorities empowered to issue export and import authorizations or certificates."

89. The Convention on Psychotropic Substances, in article 16 paragraphs 1 and 2, covers approximately the same obligations, although in somewhat different language.

90. No such formulas exist in the earlier narcotics treaties in respect of the information which Parties are obliged to supply to the Secretary-General, or to each other through the Secretary-General. These articles under consideration, however, only institutionalize what was the practice of the Commission prior to the coming into force of the Conventions. The Commission then did not hesitate to ask Governments for information relating to drugs which were abused or liable to abuse, whether or not they were already under international control, whenever it considered such information necessary for its work either under its terms of reference as a functional commission of the Economic and Social Council under the United Nations Charter, or under the narcotics treaties, but the earlier narcotics treaties themselves did not impose upon Parties a legal obligation to furnish information at the request of the Commission. As far as these treaties are concerned, the Parties were only bound to furnish the specific information expressly required by those conventions which they had respectively accepted.

91. From a practical point of view, sub-paragraphs (a) to (c) of article 18 of the Single Convention only reproduce the substance of provisions of earlier treaties which require Parties to supply the information defined in these sub-paragraphs, but without being specifically requested by an international organ to do it. One of the principle aims of the Single Convention was that of codifying the treaty law in the field. By making it expressly obligatory to furnish annual reports, the text of laws and regulations and seizure reports, the authors of the Single Convention sought to achieve this aim.

92. It is evident that the Commission has very broad general powers under the two articles referred to, since it defines its own requirements as to what is "necessary for the performance of its functions". Any such data may be requested at any time and in any form by the Commission. Indeed, special surveys are carried out from time to time by the Division of Narcotic Drugs for the Commission on Narcotic Drugs but it has become traditional to collect most of the information needed by the Commission in the annual report submitted by virtue of those two articles.

93. These annual reports are submitted on the basis of a questionnaire prepared by the Division and approved by the Commission. The questionnaire is sent out at the beginning of each year and Governments are requested to return the completed forms by 30 June. The questionnaire is sent to non-parties as well as Parties to the international drug control treaties. It should be pointed out, in passing, that non-parties may also have an obligation to report to the Secretary-General although, obviously, that obligation cannot derive from

the treaties to which they are not parties. It arises rather under articles 55(b) and 56 of the UN Charter which requires a United Nations Member to co-operate in the search for and promotion of a solution to the international social problem of drug abuse.

94. The form which the Commission requests to be used for the annual reports contains some questions which do not concern the working of any of the treaties under whose terms the reports are furnished. The Commission is of course authorized to ask these questions under the general terms of article 18, paragraph 1, introductory part, and to require, pursuant to paragraph 2 of this article, the inclusion of the replies in the annual reports.

95. The information which Governments are asked to furnish in their annual reports includes, inter alia, steps taken to become a Party to any of the multilateral drug control treaties in force; other international agreements and arrangements relating to narcotics, whether bilateral or concluded by more than two countries (including bilateral or multilateral treaties or agreements concerning extradition of drug offenders); laws and regulations enacted to implement any of the treaties under whose terms the annual reports are a e; administrative arrangements for drug control; control of the international trade, including names and addresses of authorities responsible for the issue of import and export authorizations; control of manufacture, including the names and addresses of narcotics factories and the drugs each of them is authorized to manufacture and their designations; control of domestic trade; prohibition of manufacture of, international and domestic trade in, and use of some drugs, data on cultivators of plants from which narcotic drugs are obtained (e.g. whether they are state farms, co-operatives, other corporate bodies or individual farmers); statistical figures on drug abuse (classified by agent of abuse, source of agent of abuse, origin of addiction, occupation, age and sex); and illicit traffic with many details, such as sources of supply of the traffic, quantities of each drug seized, prosecutions, convictions, penalties, prices in the illicit traffic, methods used by traffickers and disposal of seized drugs.

96. To facilitate both the submission and the subsequent collation and analysis of this information the Commission has approved a detailed questionnaire which embraces the data mentioned above and which is distributed to Parties to the 1961 and 1971 Conventions for their completion and return each year to the Secretary-General. The questionnaire is also distributed to all governments non-Party to the Conventions. In this way the Commission endeavours to obtain relevant information on the widest possible basis.

97. The questionnaire is self-explanatory, but it might be useful to recapitulate the principle chapters of the questionnaire and, where necessary, to draw attention to certain aspects which the Secretary-General has found to be sometimes inadequately dealt with by governments in their replies.

98. The questionnaire, or Form of Annual Reports, contains an introductory section, eight chapters of questions in the main body of the questionnaire, a sample seizure report form and six annexes covering specialized subjects. Let us turn our attention to the document that has been distributed to all participants.

Introduction: 1 ("Notes") and 2 ("How to complete") give general background data, explain layout and instructions on filling in form. 3 ("Terminology") covers 1961 and 1971 definitions in 1-6 and 10-17, while 7-9 and 18 are specific to the questionnaire. 4 ("References") lists most of the international treaties in the drug control field.

Chapter I Steps, including preparatory steps, towards becoming a Party.

Chapter II: Laws and Regulations to be examined in detail later. General mention of principle.

Chapter III: Desirability of central co-ordinating body. Who and What ?

Chapter IV: Control of production (licit, research, wild growth); manufacture (narcotic drugs, psychotropic substances and poppy straw), domestic trade (wholesale, retail, prescriptions) international trade (including names and addresses of national authorities) and first aid kits.

Chapter V: Only prohibitions during year under review.

Chapter VI: Social measures within legal context (alternate punishment, reintegration); next chapter also social.

Chapter VII: The situation (A) and what is being done about it (B).

Chapter VIII: Will be discussed in detail by M. Davies. Highlights.

Appendix: Sample Interpol seizure report form.

Annex I)
Annex II) Licit cultivation: opium poppy, coca bush,
Annex III) cannabis plant.

Annex IV)
Annex V) Manufacturers.

Annex VI: Quasi-medical use of opium, coca leaf chewing, non-medical use of cannabis.

99. Governments are required to complete the questionnaire and to return it to the Secretary-General not later than 30 June of the year following the year to which the Annual Report relates. The prompt return of the completed questionnaire by the requested date is of the greatest importance since it enables the Secretary-General to commence an early analysis and processing of the information furnished by governments for inclusion in the Summary of Annual Reports (E/NR 19-SUMMARY series) for presentation to the Commission. The chapters of this latter Summary are arranged to correspond with the chapter headings in the Form of Annual Reports.

100. A copy of the Summary of Annual Reports for 1979 has been circulated to participants. The 1980 Summary has just been completed and is being translated and printed for presentation to the Commission at its session in February as a background document of general information. The "Summary" contains data extracted from Part A (Chapters I-VI) of the questionnaire. Chapters VI and VIII (drug abuse and illicit traffic) supply part of the data which go into special separate reports to the Commission on these particularly important aspects of the drug abuse problem. The information supplied on "national import/export authorities" and "manufacturers" is compiled separately in two series of documents (E/NA..., E/NF...). The laws and regulations which are transmitted are edited and printed in the E/NL... series which we will discuss in greater detail tomorrow.

CHAPTER IV

NATIONAL LAWS AND REGULATIONS

Article 18, para. 1(b) of the Single Convention reads

"The Parties shall furnish to the Secretary-General /.../ the text of all laws and regulations from time to time promulgated in order to give affect to this Convention."

Article 16, para. 1(a) of the Convention on Psychotropic Substances stipulates:

"The Parties shall furnish to the Secretary-General /.../ information on /.../ important changes in their laws and regulations concerning psychotropic substances."

101. Mr. P.K. Bailey (Chief, Treaty Implementation and Commission Secretariat, DND) stated that many of the major international drug control treaties have called for an exchange of national legislative texts among the Parties. Under the provisions of the 1912 Opium Convention, the Ministry of Foreign Affairs of the Kingdom of the Netherlands was responsible for re-transmitting national laws enacted in furtherance of the objectives of that Treaty. The Conventions of 1925, 1931 and 1936 entrusted this task to the Secretary-General of the League of Nations, whereas the Single Convention calls for Parties to forward the text of such national legislation to the Secretary-General. The 1953 Protocol only requires a "report" on such legislation, and the 1971 Convention "information on important changes", but in practice Governments have regularly transmitted the full text of all such relevant legislation.

102. The Commission has regularly made it a practice to request texts of all legislation concerning narcotic drugs and psychotropic substances. Since it is authorized to request all information it considers necessary to carry out its functions, it would seem to be justified in thus broadening somewhat the minimum requirements laid down by the treaties.

103. The practical effect is that the Division of Narcotic Drugs collects, edits and publishes all legislation at the national level which relates to the control of narcotic drugs and psychotropic substances. When the competence to enact such legislation lies with a political sub-division, such as a state or province in a federal union, that legislation must also be transmitted.

104. Governments should communicate promptly to the Secretary-General the text of all such laws and regulations. The purpose of this action is not only to enable the United Nations relevant archives to be kept up to date and the Commission to be appraised of the current situation but to enable Governments themselves to be aware of the national drug control

legislation in other countries. In communicating the relevant information to the Secretary-General therefore Governments are communicating to each other, since the texts of the laws and regulations are reproduced and transmitted in turn to all Governments in the documents series E/NL.19../...

105. It is important that all relevant information should be notified to the Secretary-General, not only laws and regulations concerning the control of the legal trade in narcotic drugs down to the retail distribution level but also information concerning infractions of such laws and regulations, penal provisions and punishment, arrangements for extradition where this is envisaged and also, within the multi-disciplinary approach, any laws and regulations regarding the prevention of drug abuse including identification, education, after-care rehabilitation and social reintegration of the persons involved. Copies of the actual texts of the laws and regulations in question including references to official gazettes and other publications should be transmitted to the Secretary-General in addition to their being referred to in the Annual Report. Mention is made of this since the Secretary-General is sometimes obliged to ask for copies of actual texts which have not been forwarded to him but have in fact been mentioned in the Annual Reports. Amendments to the Laws and Regulations, however minor, should be sent to the Secretary-General to enable the international United Nations archives to be kept completely up to date. Administrative instructions regarding the internal practical implementation of laws and regulations should also be communicated to the Secretary-General since they are often of interest as practical examples to be followed by other Governments. They also serve to provide a clearer picture of the working of the administrative arrangements at the national level.

106. Since 1947, the Division of Narcotic Drugs has collected, edited, printed and distributed over 3000 texts of laws and regulations concerning narcotic drugs and psychotropic substances. The Division also prepares a cumulative index to such legislation which cross references the contents of the legislation. This index indicates:

1. Legislation enacted by a given country or territory or, as mentioned before, any sub-division thereof which has the requisite competence to legislate;
2. Legislation enacted with respect to a given substance. This is usually a substance controlled under either the 1961 or 1971 Conventions although occasionally non-controlled substances are included because of their direct relevance to the drug abuse problem. Acetic anhydride, the usual acetylating agent in the manufacture of heroin, comes immediately to mind as an example;
3. Legislation enacted in relation to a given subject or area of control, such as specific penal sanctions, extradition for drug-related offences, disposal of seized equipment, rehabilitation measures, detoxification programmes, etc.

107. One of the underlying purposes of this exchange of legislation is of course to permit Parties to monitor among themselves the correct observance of obligations undertaken by the other Parties and their compliance with those obligations. In this sense, such legislative texts have permitted Parties and the Secretariats of the League of Nations and now of the United Nations to monitor compliance with the terms of the Treaties.

108. However the data accumulated through the years in the series of legislative texts can also be useful in the case of identifying different approaches by Governments to solve a similar problem or for ad hoc studies. The Division thus receives occasional requests from Governments for information on legislation enacted by other Governments in a given area to see if any wisdom can be gleaned from the experience of others. An example of this is a recent request from the Government of Malta with respect to various systems of registering abusers, to see what legislative measures, if any, it might introduce in that field. An example of a special study is the joint WHO/DND venture to be carried out by a specialized WHO consultant in Geneva and Vienna early next year on the subject: "Review and comparative analysis of legislation on the treatment of drug dependent persons".

109. The legislative texts available through the Division thus serve not only to facilitate monitoring compliance, but other practical purposes as well. In this connexion, the Division is always at the disposal of all Governments to respond to any request for information related to the legislative texts in the E/NL series and would welcome any specific questions you may have about them.

CHAPTER V

TRENDS IN THE INTERNATIONAL ILLICIT DRUG TRAFFIC
AND THE NEED FOR REDUCING ILLICIT SUPPLY OF AND DEMAND FOR DRUGS

110. Mr. Michael Davies, (Chief Illicit Supply and Demand Reduction section, Division of Narcotic Drugs), opened a discussion on trends in the illicit drug traffic worldwide and on the need for reducing both illicit supply of and demand for drugs.

111. Seizures for 1980 showed that illicit supply of opium (and therefore of morphine and heroin remained relatively stable), at about 1,500 to 2,000 tons of illicit opium per year.

112. Illicit opium supply from Mexico was now minimal in global terms. A record opium crop in South East Asia of over 600 tons in 1980/81 was now appearing in the traffic in many parts of the world in the form of heroin. Heroin from the Middle East was also widely available, although illicit opium crops had been somewhat reduced over the last two years.

113. Cocaine was the fastest growing drug in the illicit traffic and caused great concern. Half a ton was seized in 1970: twelve tons in 1980. Traffickers were still exploiting coca from Bolivia and Peru, and trying to encourage illicit coca bush cultivation in Colombia.

114. Massive quantities of cannabis were available in many parts of the world. Fast growth in illicit supply of this drug was taking place in Africa, south of Sahara, and in parts of South America and the Caribbean. This was in addition to "traditional" sources in the Middle East and South East Asia, and to illicit production for domestic consumption, for example in Australia and the United States.

115. Among the psychotropic substances, the illicit traffic in depressants and especially methaqualone was causing as much concern as that in cocaine, because of the speed with which this traffic was expanding. In contrast to the natural narcotics: opium, coca and cannabis, psychotropic substances in the illicit traffic came almost entirely from industrialized states mainly in Europe.

116. There had been some successess, for example in Mexico, in Turkey, and in Pakistan in reducing illicit supply. The drug law enforcement authorities of many countries were now better equipped to work against the illicit traffic and their increased efficiency certainly accounted for some part of the greater drug seizures.

117. However, there was a clear need to continue to improve and extend the application of existing and new techniques of control and for countries to learn from each other in this respect.

118. One main need now was to find ways to reduce demand for illicit drugs. Much work had been done on treatment or detoxification of drug addicts. These techniques were well advanced and generally successful. However, detoxification alone was not enough. The cured addict, in between 66% and 95% of cases was again addicted within three years of his cure. This did not mean that continued efforts should not be made to rehabilitate addicts and to reintegrate them into society leading a drug-free existence. It did mean however, that in terms of cost-effectiveness alone, much greater effort should be made to discover effective means through education and otherwise to prevent drug abuse from beginning.

119. It was quite clear that prevention - sometimes known as primary prevention - was the area on which generally speaking, too little work had been done and on which more concentration in the future might bring best results.

120. Work so far indicated that the peer-group, the family, the school, and the local community were the most important factors influencing young people's tendency to take or to avoid drugs and their ability to overcome drug addiction if they fell prey to it.

121. Most Governments found that mobilizing families, countries themselves, teachers, and communities could best be attempted by close cooperation between government agencies and voluntary associations.

122. During the discussion that followed, the following points were made:

1. Many countries would appreciate benefiting from the experience of those, like Mexico, which had invested considerable efforts and resources in the field of drug control.

2. There was a general feeling that at the international level there had been too much concentration on illicit opiates and that the time had come to concentrate more efforts against cocaine and cannabis.

3. There was a need in many countries for specific drug law enforcement training which should be undertaken under the umbrella of the United Nations.

4. It was essential, when enforcing laws against the abuse of drugs or traffic in them, to have the full backing of public opinion. Lack of this public support had inhibited the work of drug law enforcement agencies when working against cannabis in some parts of the world.

5. In general, it was essential that improved work by the Drug Law Enforcement Agencies should be accompanied by more effort to reduce the supply of drugs and the demand for them. Only in this way would the transit traffic through many countries be ended: it was noted that frequently this transit traffic caused problems of drug abuse in the transit countries themselves where no problems had existed before such traffic began.

CHAPTER VI

SOUTH AMERICAN AGREEMENT ON NARCOTIC DRUGS
AND PSYCHOTROPIC SUBSTANCES

The South American Regional Instrument

123. Dr C.N. Cagliotti (Executive Secretary of the Permanent Secretariat, ASEP) noted that the South American Agreement on Narcotic Drugs and Psychotropic Substances (ASEP) was adopted at Buenos Aires, Argentina, on 27 April 1973 by the South American Plenipotentiary Conference on Narcotic Drugs and Psychotropic Substances, on the basis of the recommendations of the South American Governmental Experts Meeting which had been held, also at Buenos Aires, from 29 November to 4 December 1972.

124. The Agreement entered into force on 26 March 1976 and at the present time the following ten South American countries are States Parties: Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay and Venezuela.

125. The States parties consider that the gravity of the problem of drug abuse demands the constant and combined attention of all the countries of the region, guided by common principles and objectives, while recognizing that the size, characteristics and scope of the problem are different in each of the countries.

126. For this reason they have decided to implement the measures needed to achieve close co-operation and an efficient exchange of information in the fight against the abuse of narcotic drugs and psychotropic substances, with special emphasis on:

(a) Supervision of licit traffic: Through strict implementation of the international treaties and standardization of the regulations for the licit distribution of narcotic drugs and psychotropic substances along the lines indicated in the Second Additional Protocol.

(b) Suppression of illicit traffic: The main points are co-operation between national police organs, adoption of the necessary measures to ensure that their staffs attain the highest degree of proficiency and training, and recourse to the facilities accorded by the International Criminal Police Organization (ICPO/Interpol) through its national branches for the exchange of information and co-operation at the specialized police level.

(c) Treatment, rehabilitation and social reintegration of drug-dependent persons: Also, giving special support to any scientific research activity which leads directly or indirectly to the advancement of knowledge about drug addiction, its causes and its consequences.

(d) Prevention of drug abuse: It was agreed to promote plans for the intensive education of the community using methods suitable to the specific problems of each country and consistent with its social and cultural characteristics, giving priority attention to children and adolescents and emphasizing the family, teacher, student and social welfare levels, under the supervision of qualified experts.

(e) The harmonization of South American criminal legislation: In accordance with the detailed guidelines in the First Additional Protocol to the Agreement.

127. Under article 2 of the Treaty, the States Parties agree "To create or designate, in each country, an organ to act as the co-ordinating and centralizing body, within that country, for all that relates to the abuse of narcotic drugs and psychotropic substances" so as to facilitate not only activities in the country concerned but also regional co-ordination and co-operation.

128. The following States Parties already have co-ordinating bodies:

Argentina: National Committee on Drug Addictions and Narcotic Drugs (CONATON), under the jurisdiction of the Ministry for Social Action (Decree 452/72 as amended).

Brazil: Federal Council on Narcotic Drugs, under the Ministry of Justice (Decree 85.110/80).

Colombia: National Council on Narcotic Drugs, under the Ministry of Justice (Decree 1188/74).

Ecuador: Inter-institutional Committee for the Co-ordination of Activities for Control of the Illicit Narcotic Drug Traffic, under the Ministry of the Interior (Decree 901/81).

Peru: Multisectoral Committee for Drug Control, co-ordinated by the Ministry of the Interior (Decree-Law 22.095/78).

Venezuela: Committee against Drug Abuse (CCUID), under the Office of the President of the Republic (Decree 684/71 and supplements).

Bolivia: National Council for Control of the Drug Traffic, under the Office of the President of the Republic (Decree-Law 18121/81).

Uruguay: National Committee for the Control of Drug Addiction, under the Ministry of Public Health (Law 14294/74).

Structure and operation of the South American Agreement

1. The Conference of the South American Agreement, as a permanent institution with the status of an international body possessing legal personality. It meets annually and its main functions are: (a) to formulate the policies to be followed for the effective implementation of the Agreement; (b) to make recommendations to the States Parties to the Agreement; (c) to determine the activities to be carried out by the Permanent Secretariat in the exercise of its duties; (d) to establish the standing and ad hoc Technical Committee which it deems necessary for dealing with the questions formulated in the Agreement.
2. The Permanent Secretariat of the South American Agreement, as the executive organ of the Agreement, directed by an Executive Secretary who is a national of one of the States Parties and is elected by the Conference.

129. Its task is to facilitate the co-ordination of activities directed towards the effective achievement of the objectives of the Agreement.

130. The Technical Committees for Legislation, Suppression of Illicit Traffic, Supervision of Licit Traffic, Preventive Education and Treatment and Rehabilitation.

131. These five Committees work with the Permanent Secretariat and all the countries are represented in them; they are composed of persons qualified in their respective topics. They meet on convocation by the Executive Secretary at a place to be determined in accordance with the interests of the States Parties and with the activities to be carried on.

132. The headquarters of the Permanent Secretariat is at Buenos Aires, the relevant Headquarters Agreement having been signed between the Argentine Government and the South American Agreement on 16 October 1981.

133. The Economic and Social Council of the United Nations, at the plenary meeting held on 30 April 1980, by resolution 1980/22, granted the Permanent Secretariat the status of observer at the sessions of the Commission on Narcotic Drugs.

Activities and future programmes

134. The States Parties have held three annual conferences: the first at Buenos Aires, Argentina, in June 1979; the second at Guayaquil, Ecuador, in October 1980; and the third at Brasilia, Brazil, in November 1981. At its sessions the Statute of the Agreement and the functional organic structure of the Secretariat were approved, the Technical Committees were organized and important resolutions and action programmes were adopted for implementation by the Permanent Secretariat.

1. Activities under way

1.1 List of South American institutions concernend with drug dependence

135. In May 1980 a "Survey of agencies concerned with drug dependence" was drawn up and distributed to all States Parties; it was duly completed by the national co-ordination agencies and other specialized bodies and was used for the publication of the preliminary edition of the above-mentioned list (Doc. ASEP/SP/1), which groups together the institutions in the South American region which are concernend with the problem of drug dependence.

1.2. Organization of the South American Information Centre on Drug Dependence

136. The Centre is intended to meet the demand of users in the region for specialized information, by means of: (a) retrieval services linked on-line with automated data banks from outside the region; (b) survey of the information resources of the region; (c) organization of bibliographical data banks assembling specialized information in Spanish and Portuguese; (d) organization of banks of factual data referring to the South American areas; and (e) integration of bibliographical and factual data banks existing in the region in an on-line network.

137. With the financial assistance of the United Nations Fund for Drug Abuse Control (UNFDAC) the first phase has been started up. This consists in: (a) the physical installation of the service (purchase of the terminal equipment and arranging for the appropriate telephone connections); (b) connecting up with the data banks (subscription to the DIALOG Information Retrieval Service); (c) selection of personnel and training of search operators; (d) promotion of the service at the local and regional levels by making full use of it. The activities mentioned in (a) and (b) have already been carried out and the remainder will be completed before May 1982.

1.3. Basic comparative study of South American legislation governing narcotic drugs and psychotropic substances

138. On the basis of the recommendations of the first meeting of the Technical Committee for Legislation, held at Buenos Aires in June 1981, and the Work Guidelines prepared by the Technical Advisory Service of the Permanent Secretariat, a data bank has been created covering the legal provisions applicable in the States Parties, as well as the relevant literature and case law.

139. The information available served as a basis for the compilation of the document entitled "Existing legislation on narcotic drugs and psychotropic substances in the States Parties to ASEP (Part One)" (Doc. ASEP/SP/3), which reviews the information available in the Permanent Secretariat's data bank on the international traties to which members of the Agreement are parties and on domestic legislation, and compares the penal provisions thereof with those of the First Additional Protocol.

140. The second part, which is being prepared, will compare legislation relating to health and to the implementation of treaties with the Second Additional Protocol.

2. Approved future programmes

2.1 Organization of a Regional Centre for the Training of Personnel Specialized in the Treatment and Re-education of Drug Users, with headquarters at the National Centre for Social Re-education (CENARESO), Buenos Aires, which will begin its activities in 1982.

2.2 Organization of a regional Centre for In-Service Training of Personnel Specialized in Preventive Education. The design, teaching and technical implementation and follow-up of the project (collection of supporting material, teaching and administrative personnel) will be the responsibility of the Training Centre of the Committee against Drug Abuse, under the office of the President of the Republic of Venezuela.

2.3. As part of the Programme of National Pilot Projects for Stimulating the Use of Community Resources in the Prevention and Reduction of Drug Abuse, a regional seminar, organized by the United Nations Division of Narcotic Drugs, will be held at the headquarters of the Permanent Secretariat during the first half of 1982 to promote familiarization with the subject, development of guidelines for national pilot projects and the exchange of information and experience between the countries of the region.

2.4. The holding of a regional seminar at the headquarters of the Permanent Secretariat for the training of instructors in the suppression of the illicit drug traffic (recommendation No. 7 in document E/CN.7/660 (Part One)/Add.2, Commission on Narcotic Drugs, twenty-ninth session, agenda item 7).

3. Technical advice to States Parties

During 1981 the Permanent Secretariat provided the following technical support:

3.1. Reconnaissance mission to Bolivia to evaluate the situation as regards control of coca and its derivatives. It was carried out at the request of the Government of Bolivia under the direction of the Executive Secretary of the Permanent Secretariat, acting also in the capacity of a consultant of the Division of Narcotic Drugs and of UNFDAC.

3.2. Provision of technical advice on legislation relating to narcotic drugs and psychotropic substances to the Bolivian National Council for Control of the Drug Traffic in connection with each draft law on the subject. This was done under the direction of the Technical Adviser for Licit Drug Control and Legislation of the Permanent Secretariat, at the request of the Bolivian Government.

CHAPTER VII

THE MEXICAN CAMPAIGN FOR THE ERADICATION OF ILLICIT CULTIVATION OF CANNABIS AND THE POPPY AND FOR THE REPRESSION OF ILLICIT TRAFFIC

141. Lic. Samuel Alva-Leyva. (Deputy Attorney General of Mexico, National Coordinator of the Campaign against Drugs and Chairman of the seminar) stated that production, possession, trafficking and other acts associated with narcotic drugs and psychotropic substances, when they are carried on without meeting the requirements laid down by law, represent forms of behaviour which from the federal point of view constitute offences against health, the prosecution of which is the responsibility of the Office of the Attorney-General of the Republic; judgement of the guilty parties and application of the penalties provided by the federal legal code for such conduct is the responsibility of the federal criminal courts.

142. Accordingly, the Government of Mexico, acting through the Office of the Attorney-General, has for several years been carrying on a continuing campaign against the production of, and traffic in, narcotic drugs and psychotropic substances, the implementation of which involves prosecution of the most common forms of the crime, such as the sowing, cultivation, harvesting and possession of as well as the traffic in natural narcotic drugs such as marihuana, the opium poppy and alkaloid derivatives; also, the incidental traffic in strong drugs, such as cocaine, heroin and hashish, proselytism and instigation to use the substance in question.

143. In carrying out the campaign, the Office of the Attorney-General has the assistance of the Mexican Army and Navy and also of the federal, state and municipal police.

144. In addition to the actual preventive and investigative activities of the campaign there are collateral activities consisting in the preparation of general and special studies in rural areas and in communities adjacent to the areas of illegal cultivation. The purpose of the general studies is to gain a better understanding of the specific causes of this antisocial behaviour and to try, subject to the maintenance of an adequate economic balance, to replace the cultivation and production of narcotic drugs by licit activities, such as forestry operations, small agricultural industries, mining and horticulture. The specific studies are designed to provide information about the personal situation of the offenders so that they can be reintegrated into licit productive activities. Other collateral activities consist in creating an awareness in the rural population that it should not cultivate narcotic drugs and in young people that they should not consume them, as well as the adoption of agreements with other countries facing the same problem for co-operation and for the exchange of information on international traffickers, agreements which may result in the instituting of criminal proceedings in either country or in both.

145. In the latter connection we are guided by the conviction that if the international traffickers can exchange information about their criminal techniques there is all the more reason for the forces of order in the various countries to provide each other with information in the interest of countering them more effectively.

146. Mexico faces the problems of the production of natural narcotic drugs, cannabis and poppy and their alkaloid derivatives, as well as that of the transit through its territory of such drugs and psychotropic substances as cocaine, heroin, cannabis and its derivatives, amphetamines and other substances coming from Central and South America, Europe and Asia, which are intended for the big consumer market constituted by the United States of America.

147. As indicated above, there are two basic aspects to the campaign: first, eradication of the sowing, cultivation and harvesting of cannabis and the poppy; second, repression of the drug traffic.

148. We deal below with the work of the Mexican Government in coping with both aspects of the problem.

Eradication

149. There are three phases in the work which has been undertaken with a view to eradicating cannabis and poppy cultivation in the territory of Mexico:

- (a) Detection of the plantings;
- (b) Destruction of the plantings
- (c) Verification of their extermination.

150. The detection of the marihuana and poppy plantings is carried out on the basis of the individual campaign programmes and the corresponding cartographic material prepared by regional co-ordinators and approved by the general co-ordination body, by means of aerial exploration with helicopters to determine the location, size and extent of each crop and also the approximate height of the plant. When the plant is over 50 cm high it is immediately destroyed. If it has not yet attained this height, the date on which it can be destroyed is determined. If the plant is destroyed while it is still very small, there is always the possibility that the site can be resown immediately.

151. Experiments are at present being conducted with an advanced system for the detection of planted areas making use of an electro-optical scanner or sweeping device which is installed in a jet aircraft and is capable of covering 3.2 million hectares per day, if necessary. The data obtained by the system are processed at the National Remote-Detection Centre, located in the hangar of the Office of the Attorney-General in Mexico City, and we believe that when this is operating at maximum efficiency it will enable us to obtain reliable information in good time concerning narcotic drug plantings and also to verify their destruction. These developments will help make all the campaign operations even more efficient.

152. Once the areas planted with drugs have been discovered and localized, a start is made on programming their destruction. Depending on the geographical and meteorological conditions of the region, this may be effected by the system of aerial (helicopter) spraying of herbicides or by manual procedures if the features of the terrain or the weather prevailing in the region do not permit operations by an aerial team.

153. Simultaneously with this second part of the campaign, an evaluation is made of the progress achieved in destroying the plants, with appropriate concentration of the data by the general co-ordination body for the campaign.

154. The verification of the results of the application of herbicides to the narcotic plants is carried out between 24 and 72 hours later, by specialized staff of the inspection and verification unit which is present on board the helicopter.

155. Where possible, investigations are made in the region where the drug plantings were detected and destroyed to determine the names of the persons responsible for sowing or cultivating them so that they may be arrested and tried before the appropriate federal courts.

156. Beginning in 1980 and during the present year we have carried out what are known as pilot plans, which consist in the concentration, during a given period of time and in some area covered by regional co-ordination, of a sufficient number of helicopters, pilot personnel and logistic support to make virtually a metre-by-metre sweep for the purpose of detecting plantings, destroying them and in this way attaining the certainty that not a single narcotic drug planting is left in the region in question.

157. Thus far pilot plans have been carried out in the co-ordinated districts of Oaxaca, Chilpancingo, Mexico, Durango, Merida, Nuevo Laredo, Chihuahua and Jalisco as well as in the states of San Luis Potosi, Queretaro, Guanajuato, Mexico and Hidalgo, mainly in sectors where there have been major problems of recurrences of illicit planting.

158. In the formulation and implementation of the regional campaign plans and the pilot plans, much attention is paid to the life cycles of cannabis and poppy.

159. The plant Cannabis sativa, American variety, or marihuana, can reproduce or be reproduced in the states of Sinaloa, Guerrero, Jalisco, Michoacan, Durango, Chihuahua, Oaxaca, Morelos and Chiapas and, generally speaking, in an area which we estimate to amount to three fifths of the country. This plant can adapt to various climates and develops in wild, semi-wild and cultivated form. The plant containing the highest levels of toxic resin is that which is normally cultivated in temperate or hot dry climates, and there are places where it can be sown and cultivated all year round. The plant in question requires a period of from four to six months for its complete development, although it is sometimes harvested when it is very small in an effort to avoid its being destroyed by the Attorney-General's helicopters, even though it has obviously not yet reached maturity and, accordingly, its optimum content of tetrahydrocannabinol.

160. Papaver somniferum, or the poppy, is also produced in the states of Sinaloa, Guerrero, Jalisco, Michoacan, Durango, Chihuahua and, on a smaller scale, in some other states. The plant has a life cycle of four months at the most and the sowing period is staggered over the period October, November, December and January, which is the cold season in Mexico. In certain areas - in very high places - it is produced throughout the year, being cultivated at between 1,500 and 3,500 metres above sea level.

161. The poppy has an important natural biological enemy in the mould Fusarium which, by destroying the medulla of the plant, causes it to dry up.

162. The plant itself is affected by a lot of heat or cold; it is very delicate, and its cultivation requires a great deal of water, with the result that it is possible to observe genuine, even though very rudimentary, hydraulic engineering systems in the mountains carrying water to the poppy plantings. However, cold below zero degrees centigrade provides a certain amount of protection for the plant, since the hoar-frost formed on the leaves prevents the penetration of the herbicide.

163. The growers of Papaver somniferum thought they had found a way to hinder the action of the spray-applied herbicide by sowing the terrain at one-month intervals so that, if the plant produced by the first or second sowing was destroyed, that produced by subsequent sowings could be saved. They erroneously supposed that the particular terrain would not be inspected again, unaware that the system of inspections is continuous throughout the country and that the fact of a terrain having been detected and the plants destroyed does not mean that there will be no further inspections under the programmes.

164. The decision to use herbicides for the destruction of the poppy and marihuana plantings was based on the following considerations:

1. The need to use techniques more effective than manual destruction. Previously, when destruction was carried out exclusively by hand, a group of ten persons could destroy only one hectare per day since the plant has to be uprooted. In the case of marihuana burning is also necessary. At the present time this same area, i.e. one hectare, can be destroyed in five minutes by helicopter fumigation.
2. The demonstration, by preliminary studies, that the substances used are the appropriate ones having regard to the nature of the plant and the climatic conditions, and that they will not bring about ecological changes, since the herbicides in question are selective and degradable, leaving little or no residue in earth and water.
3. Knowledge, based on information obtained in Mexico and other countries, of the action, collateral effects, handling dangers and results of herbicide use in licit cultivation, e.g. potatoes, sugar-cane, grapes, cotton and other plants.

165. At the present time two different herbicides are being used in Mexico. The first of these is gramoxone, the active principle of which is paraquat. It dries up the cannabis plant rapidly on coming into contact with it. It is a selective herbicide of low volatility which presents no dangers of contamination or residuality in earth or water, as the high sensitivity of its ion exchange inactivates it upon contact with those elements.

166. The second herbicide is esteron 2-4D, which is used in the destruction of Papaver somniferum, the poppy; it is an ester with hormonal action which penetrates the plant's chlorophyll system and causes it to wither and die through depletion or inanition. It, too, is selective because it is active only against wide-leaf plants and its maximum residence time in earth is four weeks.

Prosecution of the drug traffic

167. As regards action concerned with prosecuting or repressing the possession, transport, storage, import and export of narcotic drugs or psychotropic substances as well as other types of crime against health, lumped together under the general heading of drug traffic, here, too, the campaign is a continuous one because there is no interruption in the activity of the offenders.

168. The action of the State against this form of criminal behaviour is among its most arduous but at the same time most complicated tasks, because it involves a social protection function, an area in which the Mexican Government is likewise committed to making a determined and continuing effort.

169. Essentially, this action is carried out by the Federal Judicial Police, coming under the Office of the Attorney-General of the Republic, and assisted, pursuant to provisions of law, by all the other police forces of the country (federal, state, municipal).

170. When the Federal Judicial Police discovers a narcotic drug user, the investigation is continued until they get to the seller or trafficker and, if possible, discover the laboratory where the drug was produced. Under Mexican criminal law, the user is considered to be a sick person and therefore, once this circumstance has been verified, he is set free and placed at the disposal of the health authorities to be given rehabilitation treatment. The attitude of the authorities to traffickers is unrelenting since their illicit activity is extremely harmful to public health.

171. The Federal Judicial Police has set up check-points at all the country's international airports in order to prevent narcotic drugs and psychotropic substances from other sources from entering the country.

172. In this way it has been possible to uncover the efforts made by drug carriers in the service of criminal organizations to introduce - mainly - cocaine and heroin into Mexico. In this process they avail themselves of a wide variety of tricks, including efforts to insert the

drug into natural body cavities, ingesting them orally, placing them in shoe soles, inside toys, in spray cans, in hollowed-out books, in elastic bandages, in small pillows fastened to the body to give the appearance of pregnancy, in double walls or bottoms of suitcases and so on.

173. The same police corps has set up check-points along the southern border of the country and on the main highways running towards the northern frontier. This has resulted in the arrest of drug traffickers who, likewise are making use of a number of stratagems, transport narcotic drugs and psychotropic substances in their vehicles (in auxiliary petrol tanks, in the backs of seats, behind the gear-box, in hollow spaces inside the doors, between loads of fruit, vegetables, seeds, cattle and so forth).

174. As indicated above, in the urban centres the Federal Judicial Police itself conducts investigations leading to the detection of narcotic drug producers and traffickers and to taking custody of drug-processing laboratories and dismantling them.

175. At present the Federal Judicial Police numbers more than 500 officers who are distributed over the entire country and are undergoing continuous training through special courses in which they learn about new investigatory techniques and about the tricks used by drug traffickers.

176. It is a regrettable fact, however, that a number of agents of the Federal Judicial Police have lost their lives in the performance of duty. To date, the number of deaths, including those of pilots and mechanics, is thirty-nine. The latest death of one of these agents occurred very recently, on 17 November 1981, in an encounter with drug traffickers in Chiapas.

177. In a description of the Mexican Government's campaign against the production of and traffic in narcotic drugs, special mention should be made of the country's armed forces.

178. By presidential order, the National Army is devoting a large part of its resources and personnel to drug control. As a special measure, a task force has been detached and placed under the command of a senior officer to lend effective support to the campaign in the north-east of the country, which is traditionally considered to be the most critical area as far as illegal planting is concerned.

179. The Mexican Navy, also by presidential order, is lending all possible assistance to the campaign, and one frequently hears of units and vessels of the Navy intercepting foreign ships and large shipments of marihuana from South America. During the present year the Mexican Navy intercepted and seized three vessels in Mexican territorial waters in the Gulf of Mexico which were carrying a total of 29 tonnes of marihuana to the United States. The members of the crew were arrested and are now in prison.

180. The continuing campaign against the production of, and traffic in, narcotic drugs has won international recognition, the President of the International Narcotics Control Board having stated that the case of Mexico was the one case which sustained the hope that eradication of the illicit traffic could be achieved.

181. The Chairman of the United Nations Commission on Narcotic Drugs and also various delegations of countries affected by the drug problem who have visited us in recent years have been able to verify the concrete results of the Mexican effort on the spot.

182. Another form of recognition of the work of the Mexican Government in this area was the decision taken by the United Nations in 1979 to assign fellowships to enable foreign technicians to receive training in Mexico in various aspects of the campaign.

183. A document submitted to the participants contains a statistical summary of the results of the campaign. It shows that in 1981 more Cannabis indica and Papaver somniferum plantings were destroyed than in the three preceding years. The explanation for this is that there was heavy rainfall in Mexico during the year in question and this encouraged more plantings.

184. Despite the steadily increasing costs, the loss of human life, the unfavourable economic effect on the drug-producing regions, and the fact that narcotic drug consumption is not a serious problem in the country, the Mexican Government has stated that it is firmly determined to continue applying the current methods of destruction and interception until such time as the problem of drug traffic has been completely eliminated.

185. Lic. Alva Leyva concluded this statement by quoting from a statement made to a meeting of physicians by Lic. José Lopez Portillo, the President of the Republic:

186. "It is obvious that health, which is the mainstay of a good life, is the basis for all the remaining individual and social processes, a prerequisite without which these processes become subject to constraint, inhibition or frustration".

CHAPTER VIII

CLOSING OF THE SEMINAR

187. The closing ceremony of the seminar was held under the Chairmanship of Lic. José López Portillo, President of the United Mexican States. The President was accompanied by Mr. Jorge Castañeda (Minister of Foreign Affairs), Lic. Félix Galvan López (Minister of National Defense), Dr. Mario Calles López Negrete (Minister of Health and Public Welfare) and by Lic. Oscar Flores Sánchez (Attorney-General of the Republic). Mr. Danilo Jiménez (Resident Representative of the UNDP) was also present.

188. Mr. A. Bahi (Secretary of the INCB) thanked the Government of Mexico for having accepted to host this seminar for drug control administrators and law enforcement officials in Latin America and the Caribbean.

189. He noted that the campaign against drug abuse and the illicit traffic had been organized on an international basis from the beginning of this century when it was recognized that only a universally coordinated approach would be able to achieve some measure of success. And indeed, for a few decades following the 1930's, the problem was contained within narrow limits.

190. This was no longer the case, and recent years had witnessed an upsurge of both drug abuse and illicit traffic of such a magnitude that the very foundations of society were being threatened. In the face of this threat, the Secretary of the INCB emphasized that it was useful to reaffirm certain principles that had proved of great value in the past.

191. In the first place, he noted, it must be recognized that the investigation of the causes of drug abuse had not yet progressed to the point to make it possible to answer the basic question: Why do people abuse drugs? It is only when the problem of drug abuse has been fully understood that it will be possible to plan a strategy to work for its full elimination.

192. In the meantime, our efforts could only be aimed at containing the evil within limits that would be least detrimental to society. This objective could be achieved through a universal action aiming at the simultaneous reduction of demand, supply and illicit traffic. Mr. Bahi noted that all those who have had long experience in this field and, in particular, the experts of the Commission of Narcotic Drugs of the United Nations have reached the conclusion that it is a mistake to single out one of these factors and to neglect the others. Demand can be contained through prevention and education, and reduced by treatment and rehabilitation. It cannot be entirely suppressed. Supply of a given drug can be drastically reduced, but it is soon replaced by another, and we know that certain products that are not even classified as drugs are widely available and widely abused; this is the case for instance, of

inhalants. It is therefore the duty of every country to recognize its local problem whether it consists of demand, supply or illicit traffic and to deal with it immediately. The commitment of a Government to this objective is a precondition for success and a duty towards its own people and other nations as well.

193. The Secretary of the INCB stated that it was well known that Mexico is one of the countries which historically has been in the forefront of the coordination of the international campaign against illicit traffic. It was equally known that under the Presidency of Lic. Lopez Portillo the campaign against production and illicit traffic of drugs had been considerably stepped up to meet effectively the menace of increased cultivation of the opium poppy and cannabis.

194. The spectacular results of the Mexican campaign have been recognized and appreciated worldwide. It was therefore of the utmost importance for the United Nations, the participants and observers from thirty countries to draw some conclusions from the Mexican experience.

195. Mr. Bahi indicated that it was his conviction that the inflexible determination of the leadership of the President of the Republic was the driving force that motivated both the people of Mexico and the administration to stand firm in the face of the threat posed by illicit trafficking.

196. The second conclusion he wanted to draw was that the coordination of the national efforts in this campaign was a key element for its success. All the participants had fully appreciated the great contribution of every branch of the Government of Mexico in their specific areas of competence. He wished, in particular, to congratulate the Procuraduria General de la Republica for the central and effective role it plays in initiating and conducting this national effort. Under the leadership of the Attorney-General, the participants had seen a team of devoted and dynamic administrators capable of transmitting their enthusiasm and determination to the staff working in the field.

197. The participants had had the privilege to witness the high morale and dedication of the technicians working in the bases, of the reconnaissance personnel, that of the policemen and pilots, who operate at great risk in a very difficult terrain.

198. The Secretary of the INCB emphasized that because of its very effectiveness, the poppy eradication campaign in Mexico is becoming more difficult each day. To avoid detection, traffickers are now encouraging farmers to sow the poppy on tiny plots in more and more inaccessible areas, often under the cover of sharp cliffs where it is very difficult for the helicopters to operate. However, the participants had been able to witness the courage and ability with which the pilots of the Procuraduria manoeuvre their helicopters, sometimes to the limit of human and mechanical possibilities, in order to destroy the poison wherever it grows.

199. He wished therefore to pay a special tribute to these courageous men and their crews who, more than once, have paid a dear price, that of their own lives, for the benefit of mankind. They all deserve sincere admiration and gratefulness.

200. Mr. Bahi noted that statistics of illicit plantations destroyed, of drugs, vehicles and weapons seized and of traffickers arrested, speak eloquently of what has been achieved. The secretariat of the INCB was gratified, however, to find that the administration also accords great care to the social reintegration of farmers by promoting community development activities while providing them with alternative means of livelihood.

201. Although every country has its own characteristics and should find its own way to protect its population from drug abuse, there could be no doubt that the comprehensive approach of Mexico toward this problem, will be a source of inspiration to many countries.

202. In concluding, Mr. Bahi expressed the deep gratitude of the organizers and participants for the great honor of the presence of President Lopez Portillo and his interest in international drug control. He also thanked the Office of the Attorney General for the excellent organization of the seminar and their generous hospitality as well as the Ministry of Foreign Affairs and the Ministry of Health and Welfare for their kind assistance and cooperation.

203. The Vice-Chairman of the Drug Control Administrators group, Dra. Ofelia Bachini (Uruguay), said that she had been asked to express the views of the participants in the Seminar for Drug Control Administrators in Latin America. She hoped she would be able to articulate faithfully the views of each of them.

204. First of all, she wished to express sincere thanks for the hospitality the group had been shown from the first day of their visit to the country. Looking back at the work that had been carried out during the two weeks that had elapsed since then, it was clear that the organization of the meeting had been excellent.

205. For the participants, the Seminar had provided high-level instruction given by United Nations officials. The explanations of those officials had been clear and objective; their replies to questions had been precise; and in their individual consultations they had dealt skillfully with the doubts that individual members of the group had voiced regarding the complex problem of handling of documentation for the International Narcotics Control Board (INCB).

206. The programme, as adapted, had enabled each participant to convey to the others an idea of how the drug problem was being combated in his or her country, against the background of the efforts made and the difficulties encountered and the record of successes and failures.

207. Through the in-depth analysis of the reports and the discussions among the participants it had been possible to gain a deeper understanding of the problem and an appreciation of its seriousness, and also to corroborate the dedication with which the struggle against drug addiction was being pursued in all countries, regardless of the magnitude of their individual problems.

208. The trip to Mazatlan had provided an opportunity for a dialogue among the participants and an exchange of views on the visits to the Hangar of the Office of the Attorney General of the Republic and to Culiacan.

209. The group thought that Mexico's programme was deserving of special mention. It did not leave a single aspect to chance; the drugs, the individual and the environment were all taken into account. Under that programme, in parallel to its educational and rehabilitational aspects, a careful effort was made to control the licit traffic and suppress the illicit traffic.

210. The group was aware of Mexico's programmes in the areas of preventive education, treatment and rehabilitation. Educators knew that traffickers brought pressure to bear on peasants and young people in an effort to convince them that the important thing was having; that was why the educators focused on the priority of being.

211. In the field of treatment and rehabilitation, the programmes of the Mexican Institute of Psychiatry, formerly CEMEF, were well known, as were that country's Youth Integration Centres.

212. The area which best reflected the excellence of Mexico's programme was its Permanent Campaign against Drug Traffic. The essential features of the Campaign were its dynamic, flexible and easily evaluable planning, its use of modern methods and advanced technology, its adequate infrastructural facilities and the dedication of the people who served in it.

213. Mexico had realized that if production was curbed, supply and thus demand as well could also be reduced. It had further understood that beyond Mexico's problem there was the universal problem of drug dependency, and, acting as citizens of the world, the Mexicans were carrying out their vast and generous Permanent Campaign against Drug Traffic.

214. Recent years had seen the increasing control of infectious disease, and the world had rejoiced, two years earlier, at the World Health Organization's announcement of the eradication of smallpox. But that joy had been overshadowed by the daily increase in the number of persons disabled as a result of drug dependency. At present, a glimmer of light could be seen at the end of the tunnel - the Permanent Campaign against Drug Traffic with its related programmes, its excellent infrastructure, its supporting facilities, its approaches and its staff.

215. That initiative set a splendid example for all countries and was surely a point of departure for countries faced with similar tasks.

216. Implicit in the Campaign was a message of hope because beyond its technical and structural aspects was its affirmation of love for human beings, their physical and mental health and their social wellbeing - a love embodied in the lives that had been sacrificed in the struggle, in the dedication of the men and women associated with the Campaign and in the courageous decision to begin and continue it.

217. It was that love for human beings which was the ultimate justification for the struggle being carried on.

218. President López Portillo then officially declared the seminar closed.

B - DRUG CONTROL ADMINISTRATORS GROUP

CHAPTER IX

OPERATION OF THE INTERNATIONAL NARCOTICS CONTROL SYSTEM
BY THE INCB

1. Definitions and terminology: substances subject to control under the 1961 Convention

219. Mr. A. Bahi (Secretary of the INCB), introducing this chapter, indicated that the substances subject to control under the 1961 Convention had widely differing pharmacological properties and could not be listed under one and the same heading used in its ordinary acceptation. Certain substances gave rise to both physiological and psychological dependence, others led only to psychological dependence while still others did not result in addiction but were capable of being converted into either of the two categories mentioned first.

220. This led the drafters of the Convention to adopt a legal definition of the substances under control. Article 1, paragraph 1 (j), defines the term drug as meaning "any of the substances in Schedules I and II, whether natural or synthetic". The Commission on Narcotic Drugs, pursuant to a procedure described in article 3, may amend the Schedules, inter alia by adding a substance which is not already included or by deleting one that is included. Accordingly, a substance not under control may become a "drug" (legal definition) and conversely a substance under control may cease to be a "drug".

Example:

Propiram, was placed under control in Schedule II in October 1971; Dextropropoxyphene, which was placed under control at the time of drafting of the 1961 Convention and deleted from Schedule II on 11 December 1964, was again placed under control by the Commission with effect from 31 March 1980.

221. It will be noted that the Convention has four Schedules as annexes but the definition of drugs refers only to the first and second of these Schedules. The third does not contain a list of drugs but a list of preparations of certain drugs, while Schedule IV contains a list of drugs already listed in Schedule I.

222. These different Schedules reflect the need to place the drugs under different systems of control in the light of their relative harmfulness and their more or less extensive use for therapeutic purposes.

223. The drugs are not all designated by name in Schedules I and II. Schedule I is a list of about a hundred drugs designated by name and followed by an indication of their:

- Isomers (unless specifically excluded; example: Levomethorphan is listed in Schedule I, but its isomers dextromethorphan and dextrorphan are specifically excluded);
- Ethers and esters (unless appearing in another schedule); example: codeine and ethylmorphine appear in Schedule II;
- Salts, including the salts of isomeric ethers and esters, provided of course that the existence of such isomers, ethers, esters and salts is possible.

224. Schedule II is a list of nine drugs designated by name and followed by an indication of their:

- Isomers (unless specifically excluded) and of their
- Salts, including the salts of the isomers, whenever the existence of such isomers and salts is possible.

225. Certain drugs are thus designated twice in a Schedule: once under their individual name and once as an isomer, ether or ester of another drug.

Examples:

Heroin is an ester of morphine (diacetylmorphine).

Nicodicodine is an ester of dihydrocodeine (nicotinic ester of dihydrocodeine).

226. Before bringing this section to a close we must point out that the 1961 Convention places substances other than "drugs" under control. These are as follows:

- The opium poppy, the coca bush and the cannabis plant;
- Poppy straw;
- Cannabis leaves;
- Substances which do not fall under the Convention but which may be used in the illicit manufacture of drugs: e.g. acetic anhydride.

227. The particular nature of each of these substances requires a suitable control different from that to which narcotic drugs are subject.

The systems of control

228. The 1961 Convention makes provision for a wide variety of control systems, depending on whether they apply to substances included in one Schedule or another, on whether they are in the form of a pure drug or a preparation, and on the nature of the drug (opium) or controlled substance (plants, substances not referred to, poppy straw).

229. We shall confine ourselves here to a description of the basic system applied to the substances in Schedule I, indicating the exceptions applicable to the drugs in Schedule II, to preparations in general and to the preparations included in Schedule III.

230. It goes without saying that these systems represent a minimum which the Parties are obliged to apply, but that the latter are at liberty, pursuant to article 39, to back them up with more severe measures.

(i) Exclusive limitation to medical and scientific purposes of the production, manufacture, export, import, distribution, trade, use and possession of drugs.

231. This is the basic principle of all international treaties on drugs. There are only a few exceptions: Parties which have made reservations under article 49; coca leaves used for the extraction of alkaloid free flavouring agents; the cultivation of the cannabis plant for industrial purposes (fibre and seed) or horticultural purposes; use in the pharmaceutical industry for the manufacture of non-narcotic substances.

232. "Medical purposes" refers not only to Western medicine but also to the traditional forms of medicine characteristic of a particular country and to dental and veterinary medicine.

233. In addition to these general provisions, the drugs included in Schedule IV are also subject to two special provisions (article 2, paragraph 5):

- A Party shall adopt any special measures of control which in its opinion are necessary having regard to the particularly dangerous properties of a drug so included; and

- A Party shall, if in its opinion the prevailing conditions in its country render it the most appropriate means of protecting the public health and welfare, prohibit the production, manufacture, export and import of, trade in, possession or use of any such drug except for amounts which may be necessary for medical and scientific research only, including clinical trials therewith to be conducted under or subject to the direct supervision and control of the Party.

(ii) Estimates of drug requirements:

(iii) Statistical returns to be furnished to INCB:

(iv) Limitation of manufacture and importation:

These three subjects will be considered in detail later.

(v) Control of manufacture

(a) The manufacture of drugs must be under licence except in the case of State enterprises where the licence is implicit.

234. The licence is an official authorization in writing issued at the discretion of a competent authority. This discretionary power as regards issuing and revoking a licence is a means of:

- Ensuring in practice that the supervisory personnel is of a high technical and moral standard (article 34);
- Limiting the number of plants so as to ensure effective control: decisions of the Commission (eleventh session) and of the Economic and Social Council (twenty-second session);
- Ensuring compliance with the terms of the licence: amounts manufactured, level of stocks, security of premises, keeping of records and so forth.

235. This licence is required for the manufacture of preparations except in the case of retail circuits where manufacture is considered a component of the sales process.

(b) Supervision of all persons and enterprises engaged or participating in manufacture.

(c) Licences for establishments and premises in which manufacture may take place in order to ensure that they comply with the required standards for the purpose of facilitating the control of drugs and preventing their diversion. These licences are also required for State enterprises and for the manufacture of preparations, except in the case of pharmacies, hospitals and physicians.

(d) Periodical permits for authorized manufacturers specifying the kinds and amounts of drugs they shall be entitled to manufacture.

236. These permits are not required for the manufacture of preparations. They enable Governments to allocate quotas to their manufacturers so as not to exceed the quantity that the country may obtain through import and manufacture. They are therefore necessary even for State enterprises, even though the Convention does not require them in this case: conversely, they are not needed for the manufacture of preparations.

237. Supervision of the application of the quota system implies a duration of a year, at most, and frequent periodic reports by manufacturers (in practice, quarterly reports).

(e) Prevention of the accumulation of drugs and poppy straw by manufacturers in quantities exceeding those required for the normal conduct of business, having regard to the prevailing market conditions. This applies to the preparations included in Schedules I and II (but not to the preparations in Schedule III).

(vi) Control of trade and distribution

(a) The trade in, and distribution of, drugs is subject to licence except where State enterprises are involved. The licence is to be issued or revoked at the discretion of the competent authority.

The licence is required even for the trade in, and distribution of, preparations. It is not required for physicians and scientists.

(b) Control of all persons and enterprises carrying on or engaged in the trade in and distribution of drugs. This includes physicians, dentists, veterinarians and scientists.

(c) Systems of licences for establishments and premises in which trade or distribution may take place. This provision does not apply to preparations.

(d) Prevention of the accumulation of quantities of drugs and poppy straw in the possession of traders, distributors or persons duly authorized to perform therapeutic and scientific functions. This provision does not apply to the retail trade in and distribution of the drugs in Schedule II and their preparations nor to the preparations included in Schedule III. Where wholesalers are concerned, this control can be carried out, in particular, by means of periodical reports (annual or quarterly) to be submitted to the Government for use in preparing reports to be submitted to INCB. In the case of retailers, the system of inspections is the most practical.

A corollary of the obligation to prevent the accumulation of stocks is the need to maintain them within the limits of the estimate pursuant to article 19. However, the latter applies also to the drugs included in Schedule II and to their preparations (but not to the preparations in Schedule III).

(e) Requiring that drugs should be dispensed to private individuals only by medical prescription and, in the case of Schedule I drugs, prescribing the use of a counterfoil book if the Parties deem this necessary and desirable. These provisions need not apply to the drugs included in Schedule II, to their preparations or to the preparations included in Schedule III.

(f) The use of the international non-proprietary name is desirable in advertisements, descriptive literature, wrappings and labels.

(g) The use of a double red band on each package is desirable (but not on the exterior wrapping of the package) so as to facilitate the task, in particular, of customs officials.

(h) Requiring that the label show the name of the drug, its content by weight and percentage. This provision does not apply to the drugs included in Schedule II and their preparations or to the preparations included in Schedule III.

(vii) Control of the cultivation of the opium poppy, the coca bush and the cannabis plant

(a) Article 22 provides that whenever the prevailing conditions in the country render the prohibition of the cultivation of these plants the most suitable measure for protecting the public health and welfare and preventing the diversion of drugs into the illicit traffic, the Party concerned must prohibit such cultivation.

238. The advisability of such a measure is left to the judgement of the Party but not entirely to its discretion as this provision of the Convention, like all the others, must be applied in good faith.

239. This provision is based on the fact that cultivation is much easier to detect than the narcotic drugs produced from the plants. However, this is not always valid since the geographical conditions may be such that the detection of cultivated areas and access to them may be extremely difficult.

240. Article 22 does not apply to poppy cultivated solely for obtaining seeds or straw, nor is it applicable to cannabis cultivated for industrial or horticultural purposes, provided that such cultivation is not the source for narcotic drugs production. Conversely, it does apply to cultivation carried on for the purpose of the reservations set out in article 49.

(b) Obligation to set up an agency responsible for controlling cultivation and production. The specific control system applicable to cultivation and production creates the need for a special administration. Furthermore the importing countries and the manufacturers of narcotic drugs can, thanks to the system of accounting and record-keeping maintained by wholesalers and so on, exert effective control over the quantities of drugs entering the country licitly and circulating in the distribution circuits. The same is not true of the countries which produce narcotic drugs, especially when they authorize a large number of independent farmers (in contrast to farms directly controlled by the State) to engage in such production. In this case it is practically impossible to make an exact determination of narcotic drugs production.

241. In addition to these difficulties there is the inaccuracy of accounting in the case of a non-standardized agricultural product, inaccuracy which may in turn give rise to a diversion.

(c) Description by the agency of the areas and the plots of land on which cultivation for the purpose of producing narcotic drugs is permitted.

242. To facilitate control and to prevent diversions the areas authorized to produce narcotic drugs should if possible be adjacent to each other, be at some distance from frontiers and have land-tenure records or land registers. In the same way, the plots should, if possible, be grouped together and clearly identified.

(d) Only farmers who are holders of a licence are authorized to cultivate plants for the production of narcotic drugs and the licence must specify the area of ground on which cultivation is authorized. The agency thus has a discretionary right which enables it to exclude persons guilty of infraction of the laws governing drug control. The licence is issued for the duration of one growing season. The yield must be a subject of control in addition to the periodic inspections at various stages of the agricultural cycle.

(e) The farmer is under obligation to turn over his entire crop to the agency. It is the obligation of the latter to purchase the crop and to take material possession of it as soon as possible but not later than four months after the end of the harvest. This four month time limit does not apply in the case of coca leaf.

243. The purpose of these provisions is to reduce the risk of diversion at a time when a large number of low-income farmers are likely to yield to the temptation of selling part of their crop to traffickers. Cash payment and the immediate taking over of the crop by the agency considerably reduce the risk of diversion.

(f) As far as opium is concerned, the agency alone will be entitled to import, export, engage in wholesale trade and maintain stocks. This provision is designed to prevent the trade in opium from falling into the hands of a large number of operators, a situation giving rise to additional risks of diversion.

2. The statistical returns system

244. Mr. Mounikou, (Chief of the Narcotic Statistics Unit of the Secretariat of the INCB), started his presentation by asking three major questions:

- (1) Why are statistics on narcotic drugs required in the international control system?
- (2) What place do statistics occupy in this system? and
- (3) How are statistics being used to exercise international control?

245. Taking each question in turn, he began by examining the first -

- (1) Why are statistics on narcotic drugs required in the international control system?

246. Every party to the 1961 Single Convention must furnish to INCB statistics on movements of narcotic drugs under international control, whether within that country or from that country to other countries. This obligation is laid down in Article 20 of the Convention, which at the same time specifies the nature of the statistics to be furnished, lists them and indicates the periods covered and deadlines for

submission. While parties to the treaties are under an obligation to submit their statistics to INCB, non-parties are also invited to communicate their statistics, since international law admits the universal scope of treaties. It is by virtue of this principle, the universality of international treaties, that INCB asks non-parties to cooperate in the international narcotic drug control system, inter alia, by furnishing statistics.

247. Mr. Mounikou made reference to two main ideas in order to explain what need is met by the preparation of statistics on narcotic drugs and their submission to INCB. The first relates to Article 15 of the 1961 Convention, which makes INCB responsible for publishing these statistics in its annual report. The provision requiring publication is one of the essential points in this treaty. Furthermore, the importance of such a treaty lies in the fact that it is a set of mutual undertakings, by States-Parties, to combat drug abuse, by taking specific control measures, at the national level. These States-Parties are then committed to furnish specific information, making it possible to check the proper operation of national control to certain international bodies. It is precisely the publication of statistics that makes the Parties able to verify the extent to which the commitments, undertaken by each of them, have in fact been observed. Thus, the Parties have given themselves a means to exercise a kind of mutual supervision of each other, having regard to their mutual obligations under the Convention. The role of INCB, in this instance, consists, on the one hand, of obtaining and compiling these statistics and, on the other, of submitting them to each Party, in a form permitting comparisons. This role compels INCB to take steps to induce governments to send in their statistics regularly. Before being commented on and published, these are thoroughly checked, and it is sometimes necessary for INCB to approach governments whose statistics give rise to queries.

248. The second idea, underlying the obligation to prepare statistics and furnish them to INCB, is that these statistics make possible an evaluation of the internal control exercised by national authorities. Where statistics are correct and regularly furnished, there is reason to assume that, in the country concerned, an administration responsible for supervising movements of narcotic drugs is operating satisfactorily. On the contrary, repeated discrepancies in statistics, or constant irregularity in their submission to INCB, are a sign of a defect in the operation of national control. From this point of view, the statistics of a country can be compared to a kind of thermometer indicating the state of national control. If the statistics are to be correct, the country must have an efficient administration, able to undertake the collection, compilation and verification of the basic data and to send them to the international agencies concerned, by the deadlines laid down. It is difficult for these series of operations to be carried out efficiently, resulting in adequate statistics, in a country which does not have a good administration. The statistics from national authorities, because they reflect a relatively reliable image of the national control situation, remain for INCB an irreplaceable means of evaluating the implementation of the treaties in each country and in

order to help governments which are experiencing special difficulties in this area. The most important factor continues to be the quality of the control exercised by national authorities, the role of INCB being essentially that of assisting governments in improving this internal control.

(2) What place do statistics occupy in the international control system?

249. Statistics are a means of control both for INCB with respect to the Parties, and for each Party with respect to each of the others. The international narcotic drug control system established by the treaties is based on a combined mechanism of forecast needs, better known as "estimates", and statistics on the actual movement of narcotic drugs, in respect of each country.

250. The statistics supplement the system of estimates. It is supposed, for example, that the import limit for a country, in the context of the estimates fixed by the Board for a given year, is 15 kg for pethidine. Therefore, the statistics for imports of pethidine by the country concerned, must be referred to, in order to verify whether this limit has been exceeded. And where it is ascertained that the limit has been exceeded, INCB, under the provisions of Article 21 of the 1961 Single Convention, is empowered to recommend that countries exporting pethidine should not, during the year in question, authorize any other exports of pethidine to the country in question in order to protect the latter against undesirable exports. The 1961 Single Convention also lays down specific provisions fixing the limit of manufacture, in respect of each narcotic drug during a year, and this obviously applies to countries manufacturing narcotic drugs. It is possible to ascertain that this limit has been exceeded only by reference to the real manufacture indicated by the statistics. In this case, too, INCB determines the real excess, which must then be deducted from the amounts, of the drug in question, to be manufactured in the same country in the coming year. This excess must, therefore, also be deducted from the total estimates for the country concerned.

251. It is therefore clear that, without statistics, the system of estimates would be of little interest and would remain a mere framework enclosing realities which were impossible to grasp. In addition, the estimates themselves would be impossible to establish correctly, without the knowledge of the basic realities provided by the statistics.

(3) How are statistics being used as a means to exercise international control?

252. In answering this question, Mr. Mounikou explained the important function carried out by statistics. Governments should exercise vigilance in preventing possible diversion of licit narcotic drugs to illicit markets. The international trade statistics make it possible to verify whether a given amount of drug exported from a country was, in fact, received by the country for which it was intended. For this purpose, INCB compares the figures for imports, with those for exports of

the same drug, declared by the countries concerned. If it appears that an amount has not arrived at its destination, INCB consults the competent authorities of the country of origin and the country of destination of the missing drug to ask them to clarify the situation so as to ensure that there has been no diversion into illicit channels. The same is true as regards the statistics for movements of narcotic drugs in a country during a year. INCB analyses these statistics and exercises the necessary control over them by means of an annual balance-sheet.

(a) Balance-sheet

253. The idea of a balance-sheet in respect of narcotic drugs meets specific concerns. The main point is to gain as precise a picture of the situation as possible. Preparation of a balance-sheet is an action aimed at clarification, which makes it possible to gain a grasp of the facts relating to licit movements of narcotics, in a country, over a given period. From this point of view, the balance-sheet is in itself an act of control because its purpose is to determine, a posteriori, the situation with respect to such movements. In its preparation, the necessary checks on data regarding such movements are, at the same time, carried out in order to ensure that the elements of the balance-sheet do, in fact, balance.

254. The annual nature of the balance-sheet results from Article 20 of the 1961 Single Convention, which requires preparation of statistics on an annual basis. The estimates are, of course, also annual by virtue of the application of Article 19 of the same treaty, and the same period must necessarily be selected for the estimates and the statistics. In many countries, the calendar year is normally taken as a basis for economic, commercial and other activities (including the national budget). Furthermore, the concept of a one-year period underlies the concept of stocks, the size of which must be determined for purposes of the balance-sheet, at the end (31 December) and at the beginning (1 January) of a calendar year.

255. The 1961 Single Convention does not explicitly compel governments to prepare a balance-sheet. However, the idea is implicit, inter alia, in the provisions of Article 20, under which statistical returns on narcotics must be prepared and furnished to INCB. In fact, the data to be collected represent many elements of a balance-sheet. What is more, understanding of these elements is enhanced in the context of a balance-sheet. Thus, INCB prepares annual accounts for each country from the data furnished by the country for the purpose of verifying the coherence of the data concerned. The balance-sheet is, then, a means of control consisting of a comparison of the statistics obtained in application of the provisions of Article 20. It is available to the national authorities who could use it themselves to check their own statistics.

256. The elements of the balance-sheet can be grouped under two main headings, namely, amounts available, and amounts used. A third heading covering amounts in stock as of 31 December might be added, since these figures represent an important element enabling the coherence of the balance-sheet to be checked.

- Amounts available

257. In a country, there may be stocks of narcotics on 1 January, and these stocks are in general equivalent to the amount of stocks ascertained on 31 December in the previous year. They are part of the amounts available which will be assigned to various uses during the year.

258. Other amounts are acquired in a country by means of production (in the case of cannabis, coca leaf and opium) or by manufacture (other narcotics). Application of Articles 23 (control of production) and 29 (control of manufacture) provides national authorities with the desired information, and in particular statistics, on this subject. When a narcotic already in the country (and therefore already accounted for) has undergone purification (e.g. crude cocaine and opium), the amounts obtained should not be counted as new manufacture. Otherwise, the same amount might be counted twice, and the balance-sheet would obviously be distorted. INCB calculates the yields obtained in the course of manufacture, in order to ascertain the accuracy of the reported statistics on manufacture.

259. Imports are an important source of supply, and sometimes the only source, for some countries. As already pointed out, INCB always compares import figures with the relevant export figures, in monitoring international trade on the narcotic drugs under international control.

260. The two other sources which are rather unusual for most countries are : quantities seized and released for licit use and quantities taken from special stocks for the requirements of the civilian population. According to the 1961 Single Convention, special stocks are, "amounts of drugs held in a country or territory by the government of such country or territory for special government purposes and to meet exceptional circumstances".

- Amounts used

261. All the amounts obtained from the various sources mentioned above, can be said to form an available pool which will be put to different uses as required.

262. Consumption is sometimes the only use in some countries. It is the sum of the amounts acquired by retail distributors and establishments or persons legally exercising therapeutic and scientific functions (acquisition from wholesalers or manufacturers or through direct import). Amounts having been used for scientific research are attributed to consumption. For the purpose of control, INCB compares consumption figures for a given year with those for previous years, and also calculates the number of average therapeutic doses, of certain narcotic drugs consumed annually per 1,000 inhabitants in some countries.

263. Another use involves utilization of a narcotic to manufacture another narcotic or to manufacture the preparations included in Schedule III of the 1961 Single Convention. Examples of this are opium and poppy

straw concentrate used for the manufacture, inter alia, of morphine, which, in turn, is usually processed into codeine, ethylmorphine and pholcodine. Amounts of the latter narcotics are also used for preparations which are exempt from the requirement of an import or export license and are contained in Schedule III.

264. Lastly, there are exports and, more rarely, purchases made in the country to cover so-called special requirements. These purchases are of course intended for the special stocks.

- Amounts in stock

265. The amounts in stock are those which, as of 31 December, are held by manufacturers and wholesalers in the country. These amounts, duly accounted for, necessarily correspond to the amount obtained by subtracting the total of quantities used from the total of quantities available. Hence, a comparison of the two figures makes it possible to verify the accuracy of the balance-sheet. Where there is a discrepancy between them, the balance-sheet should be re-examined until the cause of the discrepancy has been found. It is feared sometimes that there have been leaks from licit channels in the country concerned. The role of INCB is to urge governments to undertake the necessary investigations and, consequently, to strengthen its internal control.

266. Before concluding this exposé, Mr. Mounikou emphasized that statistics were combined with estimates to apply the important rule of limitation, in respect of narcotics supply.

(b) Limitation of manufacture and importation

267. The control system in force under the treaties is based, inter alia, on the principle of limitation in respect of narcotics supply and on the necessity to collect and prepare data on real movements of these substances. The establishment of an interrelation, between these two processes, makes it possible to determine the limit for manufacture and import, on the one hand, and, on the other, to ascertain whether real movements of narcotics are in conformity with the standards for limitation.

268. The concept of limitation set forth in Article 21 of the 1961 Single Convention therefore applies to supply and, more specifically, to the two most important sources of supply, i.e., manufacture and import. The goal is to ensure that a country's supply does not exceed its requirements, determined in advance by means of estimates, for each narcotic drug considered. By avoiding the accumulation of excessive amounts of narcotics in this way, national authorities can exercise control under conditions of greater effectiveness. For example, the risks of leaks into illicit channels are certainly less when the amounts of drugs, available in a country, approximately correspond to its requirements.

269. Calculation of the limit of manufacture and import for each country is carried out by INCB, on the basis of data derived both from the estimates and the statistics. The method used is described in Article 21, paragraphs 1 and 2, of the 1961 Single Convention.

270. Once the figure for the limit is known, it must obviously be compared with statistics for manufacture and import so that any cases, where the amount is exceeded, can be identified. When these cases have been identified, it is essential that a balance between amounts available and requirements should be re-established.

271. The limit on manufacturing can be calculated only in the light of the statistics on real movements of narcotics, in other words, after the end of the year in question. This limit is indicated in an official annual INCB publication entitled Comparative Statement of Estimates and Statistics on Narcotic Drugs furnished by Governments in accordance with the International Treaties. This document, which supplements the annual report of INCB, is published almost simultaneously with it. Under Article 21, paragraph 3 of the Convention, the excess to be taken into consideration is the one "remaining at the end of the year", in other words, the excess not reflecting a requirement on the part of the country in question during the period under consideration. INCB deducts this excess from the quantities to be manufactured or imported by the country in the following year, and, at the same time, from the forecast needs (total of estimates) for the same year.

272. This deduction from subsequent supply is not a punitive measure, but a mechanism to correct an imbalance, which could result in a situation of oversupply in respect of narcotics.

273. Despite the existence of deduction as a corrective mechanism, and also despite the fact that international transactions in respect of narcotics are subject to prior authorization, a country may receive exports exceeding its requirements. When a narcotic drug has been exported in amounts exceeding the import limit for the country of destination, the 1961 Single Convention empowers INCB to act in the most expeditious way in order to prevent a greater deterioration of the situation in the country concerned. It may ask States, during the current year, not to authorize any further exports of the narcotic in question to the country concerned. This decision is taken by INCB on the basis of its own evaluation of the facts, in light of the statistics supplied by governments. In every event, this partial embargo is limited to the current year, and may not be extended beyond that year. It is not of a punitive nature, but rather constitutes a protective measure, on behalf of the country exposed to the risk of receiving undesirable amounts of narcotic drugs.

3. Forms for reporting to the INCB (Forms A/S, C/S and "yellow list")

274. Before proceeding to an examination of statistical forms, the Chief of the Narcotic Statistics Unit, introduced a document known as the list of narcotic drugs under international control, which is a working tool for national authorities responsible for dealing with matters relating to narcotic drugs.

(a) Reference to the yellow list

275. Each year, INCB publishes, in an updated edition, this list of narcotic drugs under international control, which serves as a kind of annex to the statistical forms which will be presented later. The

twenty-fifth and most recent edition of this list was published in March 1981. This document comprises, as usual, four parts. The first part is a list of narcotic drugs which are, in fact, under international control as of the date of publication of the list. At this time there are 104 narcotic drugs listed as being under international control, of which 67 are synthetic narcotic drugs. Poppy straw is not listed and is not a narcotic drug, nevertheless, it is subjected to some control measures. Most of the names mentioned in the first part are accompanied by chemical formulas, in order to facilitate identification of the drugs concerned. The names printed in bold type are international non-proprietary names selected by the World Health Organization. In fact, the drugs contained in Schedules I and II of the 1961 Single Convention are included in this part of the list. The narcotic drugs in Schedule IV are also contained in Schedule I. The 1961 Single Convention specifies that isomers, esters and ethers of these narcotics, including salts and preparations, are subject to the same controls.

276. Article 3 of the 1961 Single Convention provides for the possibility of expanding, restricting or amending the fields of application of control. The composition of the schedules of narcotic drugs is therefore a changing reality. Some substances may become narcotic drugs or cease to be narcotic drugs (in the legal sense) or may be shifted from one control scheme to another, by changing from one schedule to another. This mobility preserves the vital and evolutionary nature of control and makes necessary a periodical updating of the list.

277. The second part of the list is an enumeration, in the same spirit, of the preparations exempt from certain control measures, which are included in Schedule III. The different cases of exemption are specifically defined for each drug concerned. Once more, import certificates and export authorizations are not required when the preparations concerned are involved in international transactions. The ten narcotic drugs listed in Schedule II are all subject to such preparations, the definition of which is specified; only cocaine, difenoxin, diphenoxylate, morphine and opium belong to Schedule I. As explained before, these preparations are exempted from certain measures of control (Article 31, paras. 1(b) and 3 to 15; Article 34, para. b; Articles 19 and 20). The exemption is based on the idea that because of the substances they contain, these preparations "are not liable to abuse and cannot produce ill effects and the drug therein is not readily recoverable."

278. The first two parts are, therefore, of interest in that they provide up-to-date information on the substances under international control. The third part makes it possible to identify a large number of narcotic drug preparations. This is a list in alphabetical order of the narcotic drugs contained in Schedules I and II (including their salts or preparations), indicating their multiple designations, including in particular those which are little used and therefore little known. This is the case with certain trade names for preparations. For example, palfium and dolosal can easily be identified by reference to this list as dextromoramide and pethidine. Customs officials, in particular, have in this list a tool which can help them to acquit themselves more efficiently concerning their responsibilities regarding imports and exports of narcotic drugs.

279. Lastly, the fourth part of the list takes the form of a table which is of direct and almost daily use to a department in charge of statistics on movements of narcotic drugs. The table indicates, in percentages, the anhydrous base content of salts and bases with regard to each narcotic drug. This table should be referred to, for example, when it is desired to determine that a given amount of dextromoramide bitartrate has a pure narcotic drug content of 72%, and that this content increases to 84% in the case of chlorhydrate of the same drug.

280. Since most drugs enter trade and distribution channels in the form of preparations and must be declared to INCB in terms of their pure narcotic drug equivalent, reference to this table makes it possible to avoid the inaccuracies which are among the most commonplace in the statistical returns.

(b) Use of the statistical forms

281. Mr. Mounikou then turned to an examination of the statistical information to be furnished to INCB. It comprises, on the one hand, statistics on international movements of narcotic drugs, in other words, imports and exports, which must be furnished quarterly, "within one month after the end of the quarter to which they relate", as provided for in Article 20 of the 1961 Convention; and, on the other hand, comprises statistics on internal movements of narcotic drugs in each country, which are required on an annual basis. Article 20 further specifies that they "shall be furnished to the Board not later than 30 June following the year to which they relate". The data concerned relate to production, manufacture, use, consumption, stocks and seizures of narcotic drugs. In fact, the two types of movement do not take place in isolation, since international trade obviously affects internal movements. Any import is added to the amounts available in a country, and any export correspondingly diminishes the amounts available.

282. Under Article 13 of the 1961 Convention, it rests with INCB to "determine the manner and form in which statistical returns shall be furnished" and to prescribe the forms to be used for this purpose. The idea of the form reflects the concern to facilitate comparison among the statistics of different countries, through uniform presentation on the basis of the use of a single model. It was with this in mind that INCB prepared a form, known as A/S for quarterly statistics of imports and exports, and another form, known as C/S for annual statistics on internal movements of narcotic drugs. It is on these forms, which are periodically supplied to governments, that the figures reflecting movements of drugs should be entered.

283. Every year, INCB publishes an updated edition of these forms; the most recent are the seventeenth edition of Form A/S and the sixteenth edition of Form C/S, both expected to be ready in the course of December 1981. On pages 1 and 2 of Forms A/S and C/S, instructions are provided to help the responsible authorities in reporting their statistical information in these returns.

284. Form A/S consists of two parts, one of which relates to imports (pages 4-6) and the other to exports (pages 7-9). The drugs most commonly entering into the international trade are listed in columns 1

to 23. Additional sheets can always be added by the competent national services to supplement their statements of imports and exports. The total quantity imported in the quarter under review should be entered against item I. Total. The country or countries from which the drug was imported should be shown below under item III and the quantity of pure drug imported from each should be indicated in the appropriate column. If any amounts are imported for "special purposes", they should be included in items I and III and indicated separately in item III. As stated in Article 1 of the 1961 Convention, the terms "import" and "export" "mean in their respective connotations the physical transfer of drugs from one State to another State, or from one territory to another territory of the same State". The mere fact that an import certificate or an export license has been issued obviously does not mean that the physical transfer of drugs from one country to another has taken place. Narcotic drugs should not be looked upon as having been exported and imported, and declared as such to INCB, until after the real movement across State frontiers has taken place. As explained above, it is the net weight of the pure substance contained in consignments that should be mentioned in the forms. Any return of drugs by the importer to the supplier is to be considered as an export and reported in Form A/S. More often than not, the drugs are marketed in the form of preparations containing other components in addition to the anhydrous base substance. Reference should be made to the yellow list, already mentioned above, in order to determine the amount of pure narcotic drug contained in a preparation.

285. Preparations which are exempted, included in Schedule III, are not subject to the import certificate and export authorization system, and the relevant statistics are not required by INCB. In both the A/S and C/S forms, a space is reserved on page 3 for any "remarks". Any information able to provide useful clarifications or supplements to the statistics entered on the following pages of these forms should be given here.

286. Form C/S also shows two tables, one, which is reserved for statistics on production and manufacture, including the manufacture of preparations included in Schedule III, and the other, which is intended for statistics on consumption, stocks and seizures.

Table I (pages 4 and 5)

287. Twenty-four narcotic drugs plus poppy straw are listed in this table, but the list is obviously not a limiting one.

288. In column B should be reported the quantity of any drug produced or manufactured during the year under review. In column C1 should be indicated the quantity of the drug used for the manufacture of other drugs, which should be specified by name. Column C2 is reserved for reporting the quantity of a given drug used for the manufacture of preparations of Schedule III of the 1961 Convention. In column C3 should be reported the quantity of a given drug used for the manufacture of substances not covered by the 1961 Convention, such as morphine used for the manufacture of nalorphine or apomorphine.

289. For non-manufacturing countries, it is probable that the only column to be filled in will be column C2. This column is applicable if there is, in the country concerned, a wholesaler which uses imported drugs for the manufacture of preparations listed in Schedule III of the 1961 Convention.

290. If there is no wholesaler manufacturing these preparations in a country, none of the Table I of this form will apply.

Table II (pages 8 and 9)

291. Although only twenty-three drugs are mentioned in this table, any other narcotic drug dealt with must be indicated.

Consumption (Column B)

292. Consumption for the purposes of these statistics is defined as the transfer from the wholesale to the retail level. Consequently, if narcotic drugs are imported into a country directly by retailers (pharmacists, hospitals, etc.), all such quantities imported should be considered from the statistical point of view as consumed during the year of their entry into the country.

293. If drugs are imported by wholesalers (whether a private trader or a government service), only that part of the narcotic drugs distributed by the wholesaler to the retail level (mainly pharmacies and hospitals) should be considered as consumed.

Stocks (Column C)

294. For the purpose of the statistics to be furnished to the Board, stocks are the quantities of narcotic drugs held on 31 December of that year by manufacturers and wholesalers. Stocks held by government agencies for the normal needs of the civilian population should also be included.

295. Quantities held by pharmacies and hospitals should not be considered as stocks since, under the terms of the 1961 Convention, once quantities have been delivered to the retail level, they are considered as having been consumed.

296. Preparations of Schedule III of the 1961 Convention should not be included in the stocks declared to the Board.

Column D - Quantity procured within the country for special purposes or withdrawn from special stocks to meet the requirements of the civilian population.

297. Countries which hold "special stocks" are required to declare to the Board any quantities of narcotic drugs added to or withdrawn from these special stocks during the year. The actual amount held in special stocks is not to be declared to the Board.

Column E - Seizures

298. In this column should be reported the total quantity of narcotic drugs seized in the illicit traffic during the calendar year. As from the year 1976, countries are requested to specify how much of the total reported was seized on account of illicit import, illicit export or within the country.

299. Since seizures are made by police or customs officers, it is important that there should be liaison between the Ministries concerned, so that the authority, responsible for filling in the forms sent to the Board, should be informed of the quantities of narcotic drugs seized during the year.

Column F - Methods of disposal of seizures

300. In this column should be reported the quantities of seized drugs disposed of in the year under review and the methods of disposal, for example, amounts destroyed, amounts taken over by government for special purposes and amounts released for licit use. The figures given may include quantities seized during previous years which were not disposed of during the year in which they were seized.

301. In concluding this exposé, Mr. Mounikou underlined the fact that the data furnished in the two forms, A/S and C/S, make it possible to follow the movement of narcotic drugs within a country and to prepare an annual balance-sheet of this movement.

4. Import and export authorizations for narcotic drugs

302. Mr. Mounikou stressed that the import and export authorization system was one of the basic parts of the international narcotics regime.

303. The basic philosophy is that each country involved in the international movement of narcotic drugs, importer and exporter, must express its willingness to permit the movement to occur. This willingness is shown through the issuance of import and export authorizations. Beyond this axiom basis, however, lies the practical view that a narcotic drug is not an ordinary commodity; international transactions on such substances may lead to particularly dangerous situations in which there is a risk of their being diverted into illicit channels. Therefore, the aims of the import and export authorization system can be summarized as follows:

- (1) to prevent diversion of international shipments into illicit channels;
- (2) to facilitate the tracing of diverted or lost consignments;
and
- (3) to regulate the quantities of imports and exports as required by the 1961 Single Convention (limit of manufacture and importation and optimum quantity to be exported).

304. Mr. Mounikou then reminded the participants of the import and export definitions. Theoretically, a shipment is imported at the moment that it crosses the importing country's frontier. The reverse is, ipso facto, true for exports. From a practical point of view, the arrival of a consignment of goods for customs clearance is considered an import, and for exports the departure of the goods from the customs house or customs control.

305. All international movement of narcotic drugs listed in Schedules I and II of the 1961 Convention is regulated by the import and export authorization system. Preparations listed in Schedule III are exempted from this system. It is the importing party who must initiate the chain of events culminating in the transfer of narcotic drugs from one country to another. The competent authorities must of course ensure that only authorized enterprises or individuals are issued import authorizations and that the quantities authorized do not cause the estimates to be exceeded. The Convention requires that a separate import authorization be issued for each import, whether it consists of one or more drugs. This authorization must contain the following information:

- (1) The international non-proprietary name of the drug, if any. It should be noted that the WHO advises the Secretary General of the United Nations who, in turn, advises States of the international non-proprietary names. In cases where none exist, the generic (common or chemical) should be used. Trade names may, of course, be shown in addition to the non-proprietary or generic name;
- (2) The quantity to be imported. It goes without saying that the quantity mentioned should be shown in a manner which makes it immediately evident as to what is being authorized. (For example, 10 000 x pethidine 50 mg/ml 2 ml vials = 1 kg pethidine);
- (3) The name and address of the importer and exporter. While a single document may relate to more than one narcotic drug, it may list only ONE importer;
- (4) The period during which the authorization is valid. In practice, three or six months are usually retained as the validity periods for import authorizations.
- (5) The authorities by which the authorization was issued.

Beside these obligatory references, an import authorization may show additional details.

306. Article 31 of the 1961 Single Convention deals at some length with "import certificates". What is the difference between "import authorizations" and "import certificates?" Basically, it is the following: an import authorization is a document indicating the total amount of narcotic drugs which an enterprise or individual may import. The "import certificate" is a document certifying to the exporting country that an enterprise or individual is authorized to import given

quantities of narcotic drugs. It is therefore conceivable to have several import certificates of varying quantities whose totality is authorized by the import authorization. From a practical standpoint, even when an import authorization permits imports in more than one shipment, it may happen that the authorization itself serves as an import certificate. It should be pointed out that the Convention requires the Parties to follow as closely as practical, the form of import certificate approved by the Commission on Narcotic Drugs.

307. The import certificate is issued to the individual or enterprise wishing to effect the importation. The number of copies is not specified in the Convention. However, the general practice in many countries has been to issue 3 copies:

- (1) One to be held by the importer and produced when the shipment has arrived at Customs;
- (2) Another to be forwarded to the prospective exporter to enable him to obtain an export authorization;
- (3) A third copy to be maintained by the issuing authorities.

308. Additionally, certain countries forward still another copy to their Customs Department to alert them of the possible import and to permit them to verify more accurately the incoming consignment.

309. Concerning the export of narcotic drugs, the Convention, first of all, requires that "parties shall not knowingly permit the export of drugs (including preparations in Schedule III) to any country or territory except in accordance with the laws and regulations of that country or territory". In addition, the competent authorities of the exporting countries must fulfill the following requirements before issuing the export authorization.

- (1) They should comply with the national laws and regulations of the importing countries to which they permit the export of drugs.
- (2) The import certificate must be submitted by the prospective exporter and its validity verified. The Division of Narcotic Drugs has published a document entitled "National Authorities empowered to issue Import and Export Authorizations". Any question of the authorization's validity can be checked with the appropriate authority listed therein.
- (3) The quantity to be exported must not exceed the total of estimates of the importing country for that year, plus the amounts which the latter intends to re-export. The competent authorities should then refer to the INCB annual publication containing the information on estimates and entitled "World Requirements of Narcotic Drugs".

310. However, it is a somewhat difficult step to ensure that the importing country's estimates are not being exceeded when issuing an export authorization. The exporter may not be the sole supplier of

narcotics and, in any event, the importing country may have obtained approval of a supplementary estimate - the fact of which has not yet been communicated to the exporting country. From a practical point of view, the best guide is the fact that the importing country has issued an import authorization. In cases where there appears to be considerable doubt due to unusual quantities etc. the competent authorities of the exporting country may, of course, wish to contact the Board and/or the competent authorities of the importing country to ascertain the appropriateness of the export.

311. When quantities exported are intended to be re-exported by the importing country, it is recommended to mention this fact in the statistical form addressed to INCB in order to avoid an unnecessary action to be taken on what may appear as an import excess case.

312. The export authorization issued must include all of the information required for the import authorization and, in addition, two more items:

- (1) The number and date of the import authorization, and
- (2) The authority by whom it was issued.

313. With respect to the optimum number of copies for the export authorization, the Convention requires the following:

- (1) 1 copy to the exporter (to accompany the shipment); and
- (2) 1 copy to be sent by the competent authority of the exporting country directly to the competent authority of the importing country.

314. In addition, it may be helpful to issue three extra copies: one to be sent directly to the exporter for his records, another to be maintained by the competent authority of the exporting country, and an additional copy to be sent to the customs point of export. Thus, while the issuance of 2 copies is required by the Convention, it may be more practical and advisable to make available 5 copies.

315. In cases where the actual quantity exported is less than that authorized by the export authorization, the competent authorities of the exporting country must so advise the importing country. In practical terms this requires the amendment of the export authorization sent to the competent authorities of the importing country.

316. When a consignment of narcotic drugs has left its country or origin, a copy of the export authorization must accompany each consignment. The Convention indeed requires that consignments of drugs entering or leaving the territory of a Party and which are not accompanied by export authorizations, be detained. In practical terms, this requires the exporter to include a copy of the export authorization

along with the shipment and requires that the Customs Department of the importing or exporting country hold any shipment lacking these documents pending the rectification of the situation. In most cases, the Customs Department will contact either the exporting country enterprise or their own competent authorities.

317. Mr. Mounikou concluded his presentation by mentioning the final step to be taken by the competent authorities of the importing country. They must endorse the copy of the export authorization which has accompanied the consignment and return it directly to the competent authorities of the exporting country. This endorsement must specify the actual quantity imported which may sometimes be less than that mentioned in the export authorization. An endorsement is an official declaration by which an importing country notifies the exporting country concerned of the quantity it has actually received. If necessary, this declaration may serve as a proof of the amounts imported.

5. The estimates system and methods for the preparation of national estimates

318. Mr. L. Tchalykh, (Chief of Narcotics Estimates Unit Secretariat of the INCB) summarized the objectives and the functions of the estimates system in the following way:

1. Article 9, para. 4 stipulates that the "Board in cooperation with Governments... shall endeavour to limit the cultivation, production, manufacture and use of drugs to an adequate amount required for medical and scientific purposes, to ensure their availability for such purposes and to prevent illicit cultivation, production and manufacture of, and illicit trafficking in and use of, drugs". One of the most important functions of the estimates system clearly results from this provision which will be described in more detail below.
2. Another very important function of the estimates is to serve as "a mechanism for a continuing dialogue between Governments and the Board" in helping the Board to fulfill its obligations as expressed under Article 9, para. 5 of the Single Convention.
3. The Board is also entrusted with the task of carrying out effective controls in order to ensure the balance between supply and demand for narcotic drugs and, in particular, for opiates. This is formulated in Articles 9, 19, 21, 21 bis and 24 of the Single Convention.

4. The estimates system is also applied to all transitional activities referred to in Article 49, para. 1 of the Single Convention. Its specific function here is to put under control "a) the quasi-medical use of opium; b) opium smoking; c) coca leaf chewing; d) the use of cannabis, cannabis resin, extracts and tinctures of cannabis for non-medical purposes; and e) the production and manufacture of and trade in the drugs referred to under (a) to (d) for the purposes mentioned therein.

319. He also underlined that the ultimate goal was through different means and, in particular through the estimates system, to discontinue and to abolish all above-mentioned activities within a specific period.

320. Furthermore generally speaking "the estimate system is used for determining the maximum quantities of narcotic drugs which each country or territory may under the Single Convention obtain by manufacture or import or both". 1/

321. Mr. L. Tchalykh stressed that the secretariat of the INCB was assigned the task of the application of the estimates system on the basis of the relevant provisions of the Convention and decisions of the Board. The functioning of the system was very briefly described by him in three phases.

Phase 1

322. At the beginning of the year preceding that to which the estimates relate, the questionnaire (Form B) is sent to all Governments for return fully completed to the Board by 1 July. The Board fixed this date and established a special questionnaire in accordance with Article 12 para. 1 which stipulates that "the Board shall fix the date or dates by which, and the manner in which, the estimates... shall be furnished and shall prescribe the forms therefore".

323. Furthermore, under Article 19 the country requirements shall be expressed in the following precisely defined categories:

- quantities consumed for medical and scientific purposes;
- quantities utilized for the manufacture of other drugs, of preparations in Schedule III, and of substances not covered by the 1961 Convention;
- stocks of drugs to be held at 31 December of the year to which the estimates relate;
- quantities necessary for addition to special stocks;
- the area and the geographical location of land to be used for the cultivation of the opium poppy;
- the approximate quantity of opium to be produced;
- the number of industrial establishments which will manufacture synthetic drugs; and
- the quantities of synthetic drugs to be manufactured by each of the establishments.

1/ Commentary on the Single Convention on Narcotic Drugs, 1961, p. 155.

324. The idea behind this subdivision of estimates into different groups is to reflect realistically the countries' requirements and also to facilitate for Governments and the Board mutual verification in accordance with Article 12, para. 2 of the 1961 Convention. The request for estimates is sent to all countries whether they are parties to the Treaties or not. The next step consists of preparation of the estimates received from Governments by the secretariat for submission to the Board.

325. During its autumn session the INCB reviews the estimates furnished by Governments. In order to have a proper assessment of the actual requirements of the countries, the secretariat also submits to the Board all supplementary information available to it, which includes estimates for the four preceding years, corresponding statistics, number of doctors, income per capita, etc. In other words - all relevant information which enables the Board to gain the best possible picture of the prevailing economic and health situation in the countries concerned. Usually, after having examined the estimates the Board confirms them. However, under Article 12, para. 4, the Board may ask Governments for a revision of their estimates if, in its view, they do not reflect the actual needs of the country concerned. The Board may also, as stipulated in Article 12, para. 5, in case of disagreement between a Government and the Board, establish, communicate and publish its own estimates, including supplementary estimates.

326. In this case the estimates established by the Board will be published together with the estimates furnished by that country, since the estimates of the country cannot be changed without their consent.

327. Since the estimates system is universal in character, the Board also establishes the estimates for those countries which did not furnish their estimates at all, or when estimates were not received in time to be examined by the Board.

328. Thus the first phase of the operation of the system is concluded at the end of the same year by the publication of a document entitled "Estimated World Requirements of Narcotic Drugs in (year)", containing the estimates furnished by Governments and established by the INCB. In order to succeed in limiting international trade to the amounts necessary for medical and scientific purposes as stipulated in Article 21 of the Single Convention, this Statement also contains "the total of the quantities of each drug manufactured and imported by any country or territory in any one year." Furthermore, this total serves as a basic element for calculating the maximum amount that the country may import or manufacture. Since certain components of the total are known only during the following year this total of the estimates published in the above-mentioned document is provisional. Nevertheless, this publication is a main working document for national administrations, since no drug is to be allowed in the international trade unless it is covered with a corresponding estimate.

Phase 2

329. During the year to which the estimates refer the Board is assigned the task of reviewing the supplementary and revised estimates which Governments may furnish in order to bring their estimates to a level more closely corresponding to their actual requirements. Article 12, para. 5 stipulates that the Board "shall as expeditiously as possible confirm... the supplementary estimates". The revised and amended estimates together with their new totals are published in the monthly supplements to the main publication. The basic objective of the Board during the whole year is to ensure, together with Governments, that movements of narcotic drugs take place in accordance with their estimates in force. In other words, in terms of Article 19, para. 5 of the 1961 Convention, to see to it that "... the estimates shall not be exceeded".

330. The Board also exercises its authority in adjusting stocks and modifying the total of the estimates. These new totals are published in the monthly supplements to the Statement of "Estimated World Requirements of Narcotic Drugs in...".

Phase 3

331. Lastly, having received the statistical returns for the year to which the originally established and confirmed estimates relate, the Board can determine to what extent Governments honoured their reciprocal commitments. Any excess imported or manufactured during the year to which the estimates relate is deducted from the total of the estimates for the following year. Phase 3 is concluded with the publication almost three years after Phase 1 of a document entitled "Comparative Statement of Estimates and Statistics of Narcotic Drugs furnished by Governments in accordance with the International Treaties".

332. Moreover, Mr. L. Tchalykh emphasized the review and assessment of the estimates constitute one of the forms of the mechanism for a continuing dialogue between Governments and the Board. The operation of the system permits the Board to ascertain the efficiency of national controls and where necessary to determine whether technical assistance should be provided. The participation of the Board in the technical assistance programmes may be carried out in different forms: taking part in training activities (seminars), special missions in the countries concerned or visits of national administrators to the Secretariat Headquarters.

333. One of the important functions of the estimates system together with the system of statistical returns is to ensure the balance between supply and demand for narcotic drugs and, in particular, for opiates. By means of publication of the statement of Estimated World Requirements, the Board exercises a certain influence on fixing the trends in demand and supply, and also in forecasting the amounts to be produced and manufactured.

334. As far as transitional activities are concerned the Board is called on to examine estimates of narcotic drug requirements for purposes other than medical.

335. These estimates are to be communicated to the Board in accordance with the provisions of Article 19 of the 1953 Protocol on opium called "Transitional measures", and the provisions of Article 49 of the 1961 Convention, called "Transitional reservations". With regard to quasi-medical use of opium this transitional reservation expired on the 31 December 1979. 1/ Consequently, all the countries which made this particular reservation, have ceased to operate under it.

336. The procedure of reviewing and confirmation is here more or less of the same character as with the estimates of countries' requirements for medical and scientific needs. Now only the estimates for non-medical use of cannabis are published in the statement together with other countries' estimates. However, the Board is particularly attentive to the problem of implementation of relevant treaty provisions in this respect. Having examined the estimates and corresponding statistics the Board has on many occasions requested the countries concerned to send explanations and more complete information as to the intended measures, in order to comply with the treaty provisions.

6. Remarks on the procedure to be followed in completing form B

337. Mr. L. Tchalykh indicated that form B dealt with the estimates of the coming year; it should be sent to the Board as soon as possible and at the latest by 1 July.

338. He noted that Part one was applicable to all countries and territories of the world. To fill in this part correctly it is necessary to take into account the situation in your country with regard to the importation and distribution of narcotic drugs.

339. He also emphasized that "For the purposes of this Convention a drug shall be regarded as "consumed" when it has been supplied to any person or enterprise for retail distribution, medical use or scientific research, and "consumption" shall be construed accordingly." as was stipulated in Article 1, paragraph 2, of the 1961 Convention.

340. Consumption is therefore defined as the transfer from wholesale to retail distribution. Consequently, if narcotic drugs are imported into your country directly by retailers (pharmacists, hospitals, etc) all

1/ Only India, Pakistan and Bangladesh made official reservations as to quasi-medical use of opium and non-medical use of cannabis when signing the 1961 Convention. Argentina and Burma also made reservations with regard to coca leaf chewing and use of opium for smoking respectively. In 1976, Argentina informed the Board that coca leaf chewing would not be permitted as from 1977. Consequently, the Board decided that the request for estimates and statistics should no longer be sent to this country. As for Burma the authorities of this country informed the Board that "the Government of the Union of Burma ceased to operate under the reservation clause with effect from 1 October 1965".

quantities imported should be considered from the statistical point of view as consumed during the year of their entry in the country. In that case, the consumption of a given year should be equal to the quantities imported during the year and the stocks should be considered as nil.

341. If, on the other hand, there is a wholesaler (whether a private trader or a Government Service) through whom all narcotic drugs are imported, only that part of narcotic drugs distributed by the wholesaler to the retail level (mainly pharmacies and hospitals) should be considered as consumed. Drugs in store by the wholesaler at 31 December of each year should be declared as stocks.

342. Furthermore, Mr. L. Tchalykh gave general indications and advice as to how fill in different column in Form B:

Column 1 Bearing in mind these definitions, the estimated consumption for a given year for each drug should be entered on pages 6 and 7 in column 1. The Board suggests taking the average consumption of the last three years for which statistics are available and making a 10 per cent allowance for a possible increase. Whatever the method chosen for the computation of the estimates, it should be stated on page 5 of the present form.

Column 2a This column concerns only countries and territories using drugs to manufacture other drugs (for example morphine to be used in the manufacture of codeine).

Column 2b This column concerns only countries and territories using drugs for the manufacture at the wholesale level of preparations listed in Schedule III of the 1961 Convention. An updated list of these preparations can be consulted in the "Yellow List".

Column 2c This column concerns only countries and territories using drugs to manufacture substances not covered by the 1961 Convention, for example, morphine used in the manufacture of apomorphine).

Column 3 Article 1, paragraph 1, sub-paragraph (w) of the 1961 Convention reads as follows: "Special stocks means the amounts of drugs held in a country or territory by the government of such country or territory for special Government purposes and to meet exceptional circumstances; and the expression 'special purposes' shall be construed accordingly". Special stocks are kept for the use of the army and to face exceptional circumstances such as major earthquakes. These stocks are usually secret and their amount need not be declared to the Board. However, any additions to these stocks should be covered by a proper estimate to be entered in this column.

Column 4

Only stocks which the competent authorities of the territory wish to maintain at the wholesale level should be covered by an estimate to be entered in this column. If there is a wholesaler in your country, the Board suggests that stocks be kept amounting to the equivalent of one or two years' annual consumption.

343. However, if there is no wholesaler, this column should remain blank.

344. Finally the estimates for a given year should be submitted as soon as possible: normally they should reach the Board not later than 1 July of the year preceding that to which the estimates refer. These estimates are subsequently examined by the Board, which has the right to question them and ask the competent authorities of your country to furnish additional explanations or revisions. When confirmed, they are published in the United Nations document "Estimated World Requirements of Narcotic Drugs" which is sent to all governments at the end of the year. The Board does not confirm the estimates by sending a special letter to that effect. Therefore, if no additional explanation is required by the Board, you will receive the above-mentioned document at the end of December or the beginning of January.

CHAPTER X

OPERATION OF THE INTERNATIONAL CONTROL SYSTEM FOR
PSYCHOTROPIC SUBSTANCES BY THE INCB

1. Introduction to the 1971 convention

345. The Chief of the Psychotropics Control Unit of the Secretariat of the INCB, Mr. A.M. Helmanis, opened his presentation with a general introduction to the 1971 Convention on Psychotropic Substances.*/ He explained that the substances under the control of the Convention are generally more widely used in medicine and available to a wider segment of the population than narcotic drugs. Administered under proper medical supervision, many are safe and effective for specific indications. However, they all have central nervous system effects which may lead variously to depression, hallucinations and disturbances in thinking, behaviour, perception and mood, and when misused or abused, they may lead to physical and/or psychological dependence.

346. He stressed that the term "psychotropic substance" is a legal term and applies to those substances natural or synthetic, or any natural material, listed in the four Schedules of the Convention. The salts of these substances, where they exist, as well as preparations containing these substances, are subject to the same control requirements of the Convention as the base substance. A substance is therefore only subject to the scope of control of the Convention if it is included in one of the four Schedules.

347. The different control regimes reflect the need to apply different controls to psychotropic substances based on properties reflecting therapeutic value and risk of abuse. The Commission on Narcotic Drugs, on receipt of the medical and scientific opinion of WHO, may add a substance to a Schedule, delete it, or amend its placing from one Schedule to another. For example: methaqualone, which was initially placed in Schedule IV of the Convention, was moved to Schedule II in 1979 because of new information that had been gathered over the years as to its increased abuse potential and decreased medical usefulness; in 1980 the Commission added mecloqualone to Schedule II of the Convention because of its similarity to methaqualone.

348. To date 40 substances are under the scope of control of the Convention. The Convention originally included 32 substances which have formed the basis for subsequent control decisions. Since the Convention's entry into force in 1976, eight additional substances have been brought within its scope of control. Three substances have been added to Schedule I, one to Schedule II, and four to Schedule IV.

*

Hereafter referred to as the Convention.

349. The controlled substances are listed in the Schedules by International Non-Proprietary Name (INN), or, where such a name has not yet been established, they are listed by other non-proprietary or trivial names, and in each instance by the full chemical name. Again, the salts of these substances, wherever the existence of such salts is possible, are subject to the same control measures as the base substance. The only isomers controlled under the Convention are seven of the tetrahydrocannabinol isomers, listed in Schedule I.

2. Control measures of the convention

350. Mr. Helmanis then turned to a discussion of the control measures of the Convention. He stated that, in general, the 1971 Convention requires Parties to take such legislative and administrative measures as may be necessary to: a) give effect to the provisions of the Convention within their own territories; and b) to co-operate with other States and international organizations in the execution of the aims of the Convention.

351. The basic control framework of the Convention was patterned on that of the Single Convention on Narcotic Drugs. There are, however, some significant differences between the two Conventions. Under the 1971 Convention:

(1) There is no provision for a universal and obligatory system of national estimates as to annual medical and scientific needs for psychotropic substances;

(2) Governments are only required to provide annual, not quarterly, international trade statistics to the INCB;

(3) Whereas the Single Convention requires the same statistical information for narcotic drugs in every Schedule, the requirements of the 1971 Convention differ for each of the four Schedules. The most complete information must be provided on substances listed in Schedules I and II, and progressively less detailed information is required for Schedule III and then Schedule IV. There is no obligation to report statistics on the consumption of psychotropic substances or statistics on seizures and disposals.

(4) Certain preparations can be exempted from some controls by a Party and such exemptions may be invoked only by that country; in contrast, the 1961 Convention reserves for the Commission on Narcotic Drugs the right to decide on the exemption of narcotic preparations which then may be invoked by all Parties, resulting in a unified exemption regime.

(5) Where exceptional circumstances exist, a Party has a certain right of non-acceptance or refusal to carry out some of the controls provided in the treaty whenever a psychotropic substance is either newly brought within the scope of control of the Convention, or transferred to a stricter control regime.

352. The framework of control that the treaty requires Governments to establish is directed at protecting public health and welfare. The international community, in enacting this treaty, has recognized that abuse of psychotropic substances poses a serious health hazard to the individual and can threaten the social and economic fabric of normal life. The acknowledged consensus is that only through co-ordinated national and international measures can the dangers of drug addiction and illicit trafficking be successfully overcome.

353. After the general introduction, the speaker clarified the specific control measures that the treaty requires each Government to implement. To ensure the execution of the aims of the Convention, Article 6 recommends that Parties establish a special administration responsible for the implementation of the treaty provisions. This administration should have the responsibility for co-ordination at the national and international levels of matters concerning Governmental obligations under the Convention. This function can be incorporated within an existing special administrative structure already established under Article 17 of the Single Convention, or may be executed by other means which conform with the constitutional and administrative structure of a Government.

354. The control measures and obligations which are enumerated in the Convention represent the minimum control requirement that Governments must implement and maintain. Parties are free to introduce more stringent measures of control where local conditions so require.

355. Under Article 5, the manufacture, export, import, distribution of, stocks, trade in, use and possession of psychotropic substances must be limited to medical and scientific purposes. The limitation on the use of substances in Schedule I is even stricter than for the substances in the other three Schedules. The use of Schedule I substances must be prohibited except for scientific and very limited medical purposes. Only authorized persons in medical or scientific establishments directly under the control of, or specifically approved by, a Government may use these substances. Access to these substances, however, should not be restricted in such a way as to hamper legitimate medical and scientific research.

356. To ensure this limitation to medical and scientific purposes, Article 8 of the Convention requires that every phase of the trade in psychotropic substances be subject to governmental authorization. All duly authorized persons and enterprises engaged in these activities must be subject to Governmental control and must be adequately qualified faithfully to execute the provisions of the domestic laws and regulations that have been enacted to give effect to the Convention. The term "adequate qualifications" should apply to technical as well as moral qualifications. Furthermore, where such activity relates to a Schedule I substance, a special licence or prior authorization is required. Establishments and premises in which manufacture, trade and distribution take place must also be subject to licence or other control measures. For example, a condition for engaging in any such activity should be that buildings and equipment are so constructed and protected as to facilitate control and prevent theft.

357. Closely connected with licensing requirements is the obligation in Article 11 to provide efficient record-keeping. The records should provide a basis on which to evaluate whether the conditions for Governmental approval are being met. These records should also elicit the information that is required, under Article 16, to be provided both to the INCB and to the Secretary-General. For substances in Schedule I, manufacturers and all other persons authorized to trade in and distribute these substances must keep detailed records as to: (a) quantities manufactured, (b) quantities held in stock, and (c) the quantity, date, supplier and recipient for each acquisition and disposal.

358. For Schedules II and III, manufacturers, distributors, exporters and importers must keep records showing: (a) the quantities manufactured and (b) the quantity, date, supplier and recipient for each acquisition and disposal. Retail distributors, institutions for hospitalization and care, and scientific institutions must keep records showing details of the quantity, date, supplier and recipient for each acquisition and disposal with respect to substances in Schedule II. For substances in Schedule III, information on such acquisitions and disposals must simply be readily available.

359. In Schedule IV, the requirements for record-keeping apply only to manufacturers, exporters and importers, and only to total annual quantities manufactured, imported and exported.

360. Lastly, manufacturers of exempted preparations (Schedules II, III and IV) are required to keep records as to the quantity of each psychotropic substance used in the manufacture of an exempted preparation, and as to the nature, total quantity and initial disposal of the exempted preparation manufactured.

361. To monitor the implementation and maintenance of controls, Article 15 requires that a system for Government inspection must be established and maintained, covering manufacturers, exporters, importers and wholesale and retail distributors of psychotropic substances, and medical and scientific institutions which use such substances. These inspections must be made as frequently as necessary and should extend to premises, stocks and records. This system is indispensable and enables national authorities to determine whether the conditions for the granting of licences are being met, whether the various transactions on psychotropic substances are legitimate, and whether diversion into illicit channels may have taken place.

362. To ensure that individuals obtain psychotropic substances only where there is a medical need, Article 9 requires that the supply of psychotropic substances to individuals must be under medical prescription. Each prescription must be issued in accordance with sound medical practice and according to such regulations as are necessary to protect public health and welfare. It is recognized that, in exceptional circumstances, some countries may not be in a position to meet the full requirement of prescriptions, and in such cases small quantities of substances in Schedules III and IV may be supplied without prescription.

363. To further ensure the safe and effective use of psychotropic substances, Article 10 requires that appropriate directions for use including cautions and warnings must be indicated on labels or on leaflets accompanying retail packages.

3. Reports to the INCB

364. Mr. Helmanis then turned to a detailed clarification of the reporting requirements for data that must be transmitted to the Board. He stressed that the obligations and responsibilities which Governments must undertake under the Convention are the corollary to, and indeed a pre-condition for, the efficient functioning of the international drug control system. To monitor the implementation by Governments of the Convention, the INCB requires the close co-operation of Governments and the receipt of information that must be provided under Article 16, paragraphs 4 and 5. Accordingly, the following annual information must be transmitted by each Government to the INCB:

(a) Schedule I:

Data on quantities manufactured, exported to and imported from each country or region, with the names of each country, as well as stocks held by manufacturers;

(b) Schedule II:

The same information as required in Schedule I, as well as data on quantities of a controlled substance used in the manufacture of exempted preparations and non-psychotropic products.

(c) Schedule III

Data on quantities manufactured, as well as total quantities of a controlled substance used in the manufacture of exempted preparations and non-psychotropic products. Export and import data need not include the names of the exporting and importing countries.

(d) Schedule IV

Information on quantities manufactured, exported, imported and used for the manufacture of non-psychotropic products. (The synoptic table reproduced on page 81, summarizes the information to be furnished to the Board by Governments.)

365. To assist Governments in complying with the mandatory reporting requirements, the INCB distributes at the beginning of each year a special form on which the required statistical data are to be entered. This is called Form P. As the Convention requires that the data be provided annually, the Form P sent at the beginning of each year concerns data of the previous year. For example, forms distributed by the INCB in January of 1981 requested data from the previous year, 1980.

366. A "Green List" is attached to Form P, similar to the "Yellow List" annexed to the statistical forms for narcotic drugs. This list is designed to assist government officials in completing Form P. Part One contains a list of psychotropic substances under international control.

Synoptic Table

REPORTS REQUIRED BY THE 1971 CONVENTION	Schedules annexed to the 1971 Convention			
	I	II	III	IV
Manufacturers' stocks at 31 December	X	X		
Quantity manufactured	X	X	X	X
Quantity utilized for the manufacture of preparations exempted under Article 3, paragraphs 2 and 3 b	The 1971 Convention does not authorize such utilization	X	X	
Quantity utilized for the manufacture of non-psycho-tropic substances or products		X	X	X
Total imports	X	X	X	X
Details of the imports by country of origin	X	X		
Total exports	X	X	X	X
Details of the exports by country of destination	X	X		

Part Two lists the names, synonyms, and trade names of substances as well as their salts and preparations that contain substances. Part Three presents a table showing the pure drug content of the salts of psychotropic substances, and Part IV contains Article 13 import prohibition notifications listed by Government and by prohibited substance. The Green List is amended annually to reflect new information that has been transmitted to the Secretary-General and the INCB. It also reflects the decisions of the Commission on Narcotic Drugs concerning any additions or amendments to the scope of control of the 1971 Convention.

367. Although each Form P contains directions for its completion, the INCB has found that certain categories of requested data sometimes require additional clarification.

368. When entering statistical data, the quantity of the substance must be expressed in terms of its pure form. To assist national officials, a conversion table for salts of psychotropic substances is included in the "Green List" which accompanies Form P. The conversion table should be used where a transaction involved the salts as opposed to the pure substance. Once the salts have been converted to the pure substance, that statistical data and not the data referring to salts, must be entered on Form P.

369. It is also important to keep in mind that: (a) for substances in Schedule I, totals must be entered in grammes; and (b) for substances in Schedules II, III, and IV, totals should be entered in kilogrammes.

370. The reporting authority may, of course, enter totals that are less than one gramme in Schedule I and less than one kilogramme in the other Schedules. Such information is of interest to the INCB, especially with respect to substances in Schedule I, such as LSD, where pharmacologically active doses are expressed in microgrammes.

371. Where an entry concerns preparations containing a psychotropic substance controlled under the Convention, the quantity of the pure substance contained in the preparation should be reported. Therefore, where a quantity of a given preparation is involved, the amount of the pure substance in each dosage unit should be multiplied by the total number of dosage units. The total so obtained must be reported to the INCB on Form P. For example, if a country imports 100,000 tablets of a given preparation containing 10 milligrammes of amphetamine in each tablet, the total amount of amphetamine in that shipment would be 1 kg. The 1 kg figure should be entered on Form P in the import column for amphetamine.

372. Another consideration in completing Form P is the listing of the total quantity of a substance which is manufactured in any given year. The data entered on Form P for this category should include only the specific quantity of the substance that has actually been manufactured in the reporting country. In order to avoid double counting, the reported total should not include any quantity of a substance that has

been used in the manufacture of either exempted preparations or of non-psychotropic products. There is a separate entry on Form P for the total quantity of a substance utilized in the manufacture of exempted preparations and another entry for the quantity of a substance utilized in the manufacture of non-psychotropic products.

373. It should be noted that no entry should be made on Form P for the quantity of a substance utilized in the manufacture of exempted preparations unless a specific notification exempting such preparations has been formally transmitted to the Secretary-General, as required under Article 3. The quantity of a substance so utilized may have been drawn directly from domestic manufacture, stocks or imports.

374. As stated before, any substance not included within one of the Schedules of the Convention is, by definition, not a psychotropic substance subject to international control. However, a substance that is within the scope of control of the Convention may be utilized in the manufacture of non-psychotropic substances or products. The Convention requires that for the converted psychotropic substance to qualify as a non-psychotropic substance, the end product must not contain the controlled substance in a condition that would be, in practice, subject to abuse or recoverable. The total quantity of the controlled substance utilized for this purpose should be reported on Form P in the designated category.

375. For each Schedule, space is provided on Form P for any additional information that a Government may wish to provide. For example, Governments have used this space to report the trade names of preparations containing psychotropic substances, the names of exporting or importing countries for Schedule III and IV substances, and certain measures that have been applied to substances, such as the destruction of stocks or seizures from the illicit traffic.

4. The international trade controls

376. The INCB representative reminded the participants that the scope of control applied to each of the four separate schedules varies according to the degree of hazard or risk posed by the substance. Accordingly, the measures of control imposed on international trade in psychotropic substances also vary in relation to the abuse potential of the substance. The strictest controls apply to the import and export of substances in Schedule I. International trade is permitted only when the importer and the exporter are both competent national authorities, or persons or enterprises which are specifically authorized by the competent authorities of their country to trade in these substances. For substances in Schedules I or II, the prior approval of the competent national authorities must be obtained for each transaction in the form of export and import authorizations. The authorizations should conform to the model established by the Commission on Narcotic Drugs.

377. Under Schedule III, the Convention does not require that import and export transactions be approved by the competent authorities. It merely requires that the exporting country notify the authorities of the importing country within 90 days of the export. This notification must be in the form of an export declaration giving specific details of the shipment. The Commission has also established model export declaration forms to facilitate the implementation of this obligation by exporting countries.

378. For substances in Schedule IV, neither prior authorizations for trade nor export declarations are required. The importer and the exporter must merely keep records of transactions, and at the end of each year notify their respective national authorities of the total quantities imported or exported.

(a) Prohibitions of and Restrictions on Export and Import (Article 13)

As only limited international trade controls are required for Schedule II and no controls for Schedule IV substances, the Convention provides a mechanism whereby a country can impose an obligation on all other countries not to export unwanted psychotropic substances to it. Under Article 13, a Government wishing to avail itself of this protection must notify the Secretary-General, listing those substances in Schedules II, III or IV that are to be restricted. Once the Secretary-General transmits the notification to all Governments, each country is obligated not to export such substances to the prohibiting country. The country may authorize specified quantities for import at a later point by issuing a special import licence that must be transmitted directly to the national authorities of the exporting country. This provision of the Convention is particularly useful for countries that have not yet developed the legislative and administrative mechanisms necessary to fully control international trade in psychotropic substances.

It is the task of the INCB to review international trade to ensure that no violations of an Article 13 notification occur. It is the obligation of Governments to establish the necessary administrative controls to prevent the export of unwanted substances. Special attention must be directed particularly at those substances listed in Schedules III and IV. Although no prior authorizations for international trade are required for these substances, their inclusion under the prohibition of and restrictions on export and import of Article 13 requires such controls where trade involved the notifying country.

(b) Exemptions of Preparations (Article 3)

In contrast to the imposition of stricter controls, Article 3 of the Convention permits a Party to exempt from certain controls preparations that contain psychotropic substances other than those listed in Schedule I. An exemption can be invoked only when the preparation presents negligible or no risk of abuse and the psychotropic substance cannot be readily recoverable in a quantity liable to abuse. To take advantage of this provision, the Party must notify the Secretary-General in writing of the name and composition of the exempted preparation and the measures of control from which it is exempted.

Under Article 3, preparations may be exempted from the prior approval controls established for international trade under Article 12, for Schedule II, and from the post-export declaration required for Schedule III, substances. It should be stressed, however, that where a Government wishes to invoke such exemptions, it should consider the international impact of such a decision. Owing to the restricted nature of an exemption under the Convention, Governments that have not notified an identical exemption are still required to apply to that preparation the full scope of international trade controls applicable to the substance within the preparation.

Accordingly, the Government that has decided not to apply certain international trade controls as permitted by Article 3 must nevertheless establish the necessary administrative controls to ensure that the laws of its trading partners who have not invoked a similar exemption for the same preparation are not violated. In other words, it must issue an import authorization when importing, and request an import authorization when exporting an exempted Schedule II preparation. Also it must ensure that no export violates the prohibitions and restrictions on export and import established under Article 13 concerning the substance contained in the exempted preparation, whether the substance is in Schedule II, III or IV.

(c) Voluntary Measures

In conclusion, the Chief of the Unit recalled the request of the Board in its Report for 1980 that Governments consider certain voluntary measures designed to enhance the international control of psychotropic substances. The request was prompted by the discovery that very large quantities of psychotropics, especially those in Schedule II, were being diverted into illicit traffic. The diversion was being accomplished in some instances by forged import authorizations, and in others by the failure of exporting and importing countries to impose the required controls on international trade in these substances.

In Resolution 1981/7, the Economic and Social Council had endorsed the Board's recommendations that Governments voluntarily provide to the Board assessments of their annual medical and scientific requirements for Schedule II substances, as well as quarterly trade data. The necessary forms for entering and transmitting this data will be sent by the secretariat to all Governments at the beginning of 1982. It was hoped that in the spirit of international co-operation, the Governments participating in the Seminar would comply with the ECOSOC request.

C - LAW ENFORCEMENT OFFICERS GROUP

CHAPTER XI

SUMMARY OF MAIN ISSUES

1. Trends in the illicit drug traffic regionally and worldwide */
and links between drugs traffic and other crime

379. A draft list of possible recommendations developed by the Division of Narcotic Drugs was circulated to the participants. This list is attached at annex 9. The meeting discussed these issues in detail and at length.

380. In addition, in the debate which gave rise to these recommendations, the following points were made:

1. Some countries had difficulty in destroying large quantities of cannabis seized. They would appreciate advice on the feasibility and cost of incinerators capable of handling multi-ton weights of cannabis at any one time.

2. Some countries had clear evidence of the sources of supply of drugs entering the illicit traffic in their countries. It was noted that if countries made this evidence available to the United Nations Division of Narcotic Drugs and the Secretariat of the International Narcotics Control Board, then these parts of the United Nations Organization could pursue this issue with the source countries. The United Nations could take no action unless such evidence was brought to their attention, and as rapidly as possible.

3. It was preferable to identify and to move against cannabis trafficking groups rather than to spend time trying to identify trafficking routes which were changing with increasing frequency. The same did not necessarily apply to heroin or other drugs.

4. Peru was undertaking a survey to try to quantify the amount of illicit as opposed to licit coca cultivation. First results indicated that the amount of illicit cultivation was probably about the same as the registered or licit cultivation.

5. The Meeting noted the threat to legal civil aircraft presented by the use of other aircraft for drug smuggling. This danger was in addition to the direct consequences of the illicit drug traffic itself.

6. The Meeting noted the threat of corruption amongst public officers presented by the great sums of money available to drug traffickers.

*/ See also Chapter V above.

6A. The meeting noted the clear relationship between drug trafficking and other crime established by research in Spain and welcomed the intention of Spain to continue to update its studies in this matter

7. The Meeting noted the work that had been done in some countries to control the availability of chemicals used for the production of illicit drugs. The Meeting believed this was one essential part of countermeasures against the illicit traffic, but stressed that it was not only the chemicals, but also the raw materials themselves which must be eradicated, that is opium, the coca leaf, and cannabis.

8. The Meeting noted and was grateful for the very detailed presentation by the representative of Mexico on identification of drugs and asked that this material be made available to participants in Spanish and in English as appropriate. The Meeting was grateful for the assurance of Mexico that any request for training of laboratory staff to support the work of the Drug Law Enforcement Agencies, would be favorably regarded, and for the assurance of the United Nations Division of Narcotic Drugs that financial support could be provided for at least some training of this kind in Mexico, if countries so requested.

9. The Meeting noted that the United Nations, Interpol and the Customs Cooperation Council already provided a great deal of machinery which was intended to enable countries to establish closer cooperation against the illicit drug traffic and agreed that this machinery should be utilized to the full.

10. Further recommendations were made by the participants. (See annex 10.)

2. Elimination of sources of supply and illicit manufacture of drugs

381. The Meeting considered the elimination of sources of supply and manufacture of illicit drugs and in particular the examples of measures taken at the national level by Mexico. Other countries also described national measures and difficulties which had been encountered.

382. The Delegates from Peru and Colombia described the disposal of coca and especially cocaine seized from the traffic, some of which was reprocessed for medical use.

383. Amongst other issues raised during discussion were the following:

1. Mexico, Argentina, and Peru were able to offer training for Drug Law Enforcement Officers and described the ways in which such training could be provided.

2. There was a growing need for accurate, fast exchanges of operational information.

3. It was essential when seizures took place, that as much information as possible be sent to the country from which the drug was presumed to originate.

384. In addition, the Meeting considered audio-visual material on the recognition of drugs in the illicit traffic and the use of various Drug Law Enforcement techniques to counter the illicit traffic.

3. National action against the illicit drug traffic and its place in coordinated international action : the role of ICPO/Interpol

385. The history and role of Interpol in coordinating the international activity against the illicit traffic in drugs was outlined to the seminar by a representative of that organization. The importance of the existence of a national territory was stressed, for without the national coordinating body international action was not possible in a structured fashion. In each of its member countries Interpol established National Central Bureaus through which all enquiries of an international nature were channeled. This National Central Bureau was responsible for providing the liaison with the different specialist drugs services. In a purely international sense, the General Secretariat was responsible for producing international notices on individuals either wanted for arrest extradition or suspected of being involved in the illicit traffic. In addition the Secretariat produced a documentation on trends in the international traffic, modus operandi used by traffickers, etc. The members of Interpol were in fact the law enforcement services of those countries and therefore the structure which had been established by the organization was at the disposal of all law enforcement officers including Customs, who had at its disposal an independent radio communications system to be used for this purpose. A certain number of documents produced by the Interpol Secretariat were distributed.

4. Specific investigations techniques

386. Representatives from the United States, Canada and the United Kingdom gave examples of the different investigation techniques used in the investigation of drugs offenses in their respective countries. It was noted that the investigation into drugs offenses was no so very different from that of other types of crime. It was essential that proper basic training in normal police investigation should be provided to investigating officers. There appear to be insufficient circularization for the benefit of the general law enforcement community of new successful techniques which had been used.

5. The investigation of drug traffickers' financial assets

387. The United States observer gave an account of the major successes which had been achieved in the investigation of drug traffickers' financial assets. It had been possible by such investigations to attack

the organizers of drug trafficking where it hurt them most. The seminar was reminded that a U.N. Commission resolution had been adopted on this matter and that already one meeting had been held by the Division on Narcotics Drugs in Vienna on this subject. Interpol was to hold a working meeting on this type of investigation for a number of its member countries in the beginning of February 1982.

6. The monitoring of precursors of drugs of abuse and the need to prevent diversion of drugs from licit sources

388. A representative of the Division of Narcotic Drugs gave an exposé on this subject.

7. - The role of customs authorities

389. A representative of the United Kingdom Customs explained the role of the customs authorities in a national situation. This was supplemented by a representative of the Customs Cooperation Council who indicated the activities of the Council in relation to illicit drug trafficking. The importance of close cooperation between police and customs services was stressed.

ANNEX 1

INTERNATIONAL NARCOTICS CONTROL BOARD

Seminar for Drug Control Administrators in Latin America

Mexico City, 1 - 11 December 1981

EXPLANATORY NOTE

A. Background information

1. The International Narcotics Control Board (INCB) is a treaty body established by the Single Convention on Narcotic Drugs, 1961, to promote compliance by Governments with the provisions of the various international drug control treaties and to supervise governmental implementation of these treaties. The application of the international drug control system is, however, the responsibility of national authorities, for it is they alone who can regulate the movement of narcotic drugs and psychotropic substances through their respective jurisdictions. Despite manifest good intentions, a number of countries face considerable difficulties in fully implementing their treaty obligations.

2. In view of the foregoing, and in keeping with the requirements of the treaties which request that the Board provide the mechanism for continuing dialogue with Governments and lend assistance to facilitate national action in the attainment of treaty aims, the INCB has conducted a series of training seminars since 1974. These seminars, which have been supported by the United Nations Fund for Drug Abuse Control, have enabled national officials directly in charge of completion and submission of annual and quarterly reports to the INCB, to enhance the performance of their countries' treaty obligations.

3. Since the latest training seminar conducted in Mauritius in December 1980, was intended for drug control administrators in African countries, the Board decided to organise a similar seminar for Latin American countries. The Government of Mexico informed the Board of its willingness to host this seminar in December 1981, but suggested at the same time that it might be useful if the seminar were also to include participants responsible for law enforcement.

4. On this background, the INCB has requested that its Secretariat organise, in co-operation with the UN Division of Narcotic Drugs (DND), such a seminar in Mexico City. The training of senior officials in charge of drug control administration will be conducted by the Secretariat of the INCB and the training of senior law enforcement officers will be conducted by the DND.

5. The host country will provide conference services and will organise a visit to one of the areas where the eradication campaign takes place.

B. Objectives of the Seminar

6. The objectives of the seminar will be:

I. With regard to drug control administration:

(1) to consider the structure and the workings of the international drug control system, including the treaty obligations of states, with the principal goal of assisting participants to comply with these obligations, thus improving the systems of annual estimates of narcotic drugs and statistical returns on narcotic drugs and psychotropic substances essential to the work of the Board;

(2) to enable members of the INCB Secretariat to appreciate at first hand the specific problems of drug control in the countries of the region and

(3) to enable the INCB to promote its "continuing dialogue" with States through the opportunity of improved communication between the Secretariat and responsible officials.

II. With regard to law enforcement:

(1) to examine methods of identifying drugs being moved in the illicit traffic;

(2) to consider countermeasures to identified trafficking trends including: means of concealment, routes, couriers, financiers, sources of production and manufacture, and other phenomena associated with the supply, movement and marketing of drugs for abuse;

(3) to assist in improving reporting by States and individual organizations in pursuit of Parties' obligations under the international treaties;

(4) to stimulate the establishment of a system for continuing rapid and secure exchange of intelligence, information and experience leading to improved coordination of practical action against the illicit drug traffic and related phenomena at the national, regional, inter-regional and international level.

III In general: to promote co-operation among the countries of the region and to create more awareness of the assistance which they can obtain from the various international bodies concerned.

7. A detailed programme will be sent to each participant at the beginning of September 1981.

8. Senior members of the Secretariat of the INCB and of the DND will lead the respective discussions. They will be assisted by members of other UN and international bodies such as the UN Fund for Drug Abuse Control, the World Health Organization, PAHO, ICPO/Interpol, the Customs Co-operation Council, the South American Agreement on Narcotic Drugs and Psychotropic Substances and the International Council on Alcohol and Addictions.

C. Duration and Site of the Seminar

9. The seminar will be held in Mexico City beginning on Tuesday, 1 December and ending on Friday, 11 December 1981. Participants are expected to arrive in Mexico City on 30 November 1981 and to depart on 12 December 1981.

D. The Participants

10. Each Government is requested to nominate two participants. It is expected that one participant will be a senior official who is directly in charge, at the national level, of completion and submission of annual and quarterly reports to the INCB, and that the other participant will be a senior official who is directly in charge, at the national level, within the drug law enforcement administration, of the coordination of preventive and repressive action against the illicit traffic.

11. Each Nomination should be accompanied by a brief curriculum vitae indicating the name, date of birth, functional title, level of education, knowledge of either English or Spanish (or both languages) and private address of the nominees.

E. Working Languages

12. The lectures and discussions may either be in Spanish or in English. Simultaneous interpretation will be provided from and into these two working languages. Participants will, therefore, be expected to have a good knowledge of one or the other.

F. Travel Expenses and Subsistence

13. With financial support from the United Nations Fund for Drug Abuse Control (UNFDAC), the Secretariat of the INCB will bear the following costs for two participants from each country invited:

(i) Air Travel: Return economy class air ticket (via the most direct route - which will be determined by the Secretariat of the INCB) between the international airport nearest to each participant's place of residence and Mexico City. In due course, each participant shall receive such an air ticket from the Secretariat of the INCB (see para. 9 above). Any additional expenditure resulting from travel arrangements different from those authorized by the INCB must be borne by the participants themselves;

(ii) Hotel Accomodation in Mexico-City: will be paid directly by the Secretariat of the INCB to the hotel selected for the seminar. This will include: single room, breakfast and one meal (lunch).

14. No cost other than those specifically mentioned above will be borne by the Secretariat of the INCB or by the Host Country. In particular the Board will not assume responsibility for the following expenditures:

(i) Expenditures in the home country incidental to travel abroad such as expenditures for passports, the required vaccinations, travel to airport of departure and local airport taxes;

(ii) Salary and related allowances for participants in relation to participation at the seminar;

(iii) Travel or any cost incurred by dependants who might accompany participants;

(iv) Cost of travel insurance, accident insurance, medical bills or hospitalization fees incurred in relation to participation at the seminar;

(v) Compensation in the event of death or disability of participants;

(vi) Loss of or damage to personal property of participants in relation to participation at the seminar.

15. Since it is not intended that participation at the seminar be a substitute to participants' normal salary, they are strongly advised to bring along some extra money in foreign currency, to meet all their incidental expenditures.

G. Visas and other requirements

16. In order to make arrangements to have visas issued to the participants it is requested that the following details be sent to the Secretariat of the INCB together with the nomination: full name, full address as indicated in passport, marital status, passport number, and type of passport.

17. In due course, the Health Requirements (vaccinations) will be communicated to each participant.

H. Documentation

18. Participants will be provided during the seminar with documentation on the major topics discussed.

19. Before leaving for the seminar each participant will be requested to fill out a questionnaire that will be sent by the Secretariat of the INCB in September 1981. One copy of this questionnaire should be returned to the INCB before 31 October 1981 and 70 copies should be brought to Mexico City by each participant.

I. General Conditions governing Participation

20. During the period of the seminar, participants will be required to participate punctually at all the sessions. Their conduct should be in conformity with their civil servants' status.

ANNEX 2

INTERNATIONAL NARCOTICS CONTROL BOARD

PROCURADURIA GENERAL DE LA REPUBLICA
(MEXICO)

SEMINAR FOR DRUG CONTROL ADMINISTRATORS IN LATIN AMERICA
MEXICO CITY, 1 - 11 DECEMBER 1982

TIMETABLE

PLENARY SESSIONS

DATE	SUBJECT	SEMINAR LEADER
<u>MONDAY 30.11.81</u>	Arrival of Participants: Hotel del Prado, Mexico City	Meeting of seminar leaders
<u>TUESDAY 1.12.81</u>		
08:30	Depart Hotel for Conference Centre, Ministry of Foreign Affairs	
09:00	Registration and distribution of documents	
10:30	Official opening of the seminar	Government of Mexico INCB - UN
11:30	<u>The international drug control systems of the United Nations</u>	
	INCB	INCB
	The role of the United Nations Commission on Narcotic Drugs, the Secretary General and the UN Division of Narcotic Drugs.	DND
	The United Nations Fund for Drug Abuse Control	UNFDAC
13:00	The international challenge of Drug Abuse	DND
14:45	Return to Hotel	
17:00	Briefing for parti- cipants and observers	Hotel del Prado
20:00	Reception by Government of Mexico, Office of the Attorney General	Hotel del Prado

DATE	SUBJECT	SEMINAR LEADER
<u>WEDNESDAY 2.12.81</u>		
08:30	Depart hotel for Conference Centre	
09:00	Annual reports on the workings of the Conventions to the Secretary-General	DND
10:30	RECESS	
11:00	Overall trends in international illicit drug trafficking	DND
	The need for supply demand reduction	DND
	Regional co-operation on drug abuse	South American Agreement
12:30	RECESS	
13:00	INCB Audio-visual programme: Spanish, English	INCB
13:30	The INCB and the international drug control treaties	INCB
14:00	5 country presentations of 10 minutes each	Participants
14:45	Return to Hotel	
17:00 19:00	Individual consultations	INCB/DND
<u>THURSDAY 3.12.81</u>		
08:30	Depart hotel for Conference Centre	
09:00	The Mexican campaign against drug production and traffic	P.G.R.

DATE	SUBJECT	SEMINAR LEADER
<hr/> <u>THURSDAY 3.12.81</u> (continued)		
10:00	6 country presentations of 10 minutes each	Participants
11:00	RECESS	
11:30	9 country presentations of 10 minutes each	Participants
13:00	RECESS	
13:30	Country presentations (continued)	
14:45	Return to Hotel	
17:00 19:00	Individual consul- tations	INCB/DND
<hr/> <u>FRIDAY 4.12.81</u>		
08:30	Depart Hotel for airport (Hangar of the Procuraduria General de la Republica)	
09:00	Breakfast	
10:00	Systems for detection of areas of cultivation	Mexico / Detenal.
	Demand reduction, treatment and reha- bilitation	Mexico/Min.Health
10:30	Tour of the facilities of the Procuraduria General de la Republica (Hangar)	
13:30	Questions	
14:00	Return to Hotel	
17:00 19:00	Individual consultations	INCB/DND

DATE	SUBJECT	SEMINAR LEADER
<u>SATURDAY 5.12.81</u>	Field Trip	Government of Mexico
<u>MEXICO</u>		
06:30	Depart hotel for airport	
07:15	Departure for the City of Culiacan	
07:45	Arrival. Visit by helicopter to the eradication areas	
12:30	Meeting at the airport and visit to the experimental center	
14:00	Departure for the port of Mazatlan	
<u>MAZATLAN</u>		
14:30	Arrival. Transportation to Hotel Pescador	
15:00	Lunch at the Hotel	
	Free afternoon	
21:00	Dinner at the hotel	

DATE	SUBJECT	SEMINAR LEADER
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SUNDAY 6.12.81

MAZATLAN

09:00	Breakfast at the Hotel	
14:30	Depart Hotel for airport	
15:00	Departure for Mexico City	

MEXICO

17:30	Arrival. Transportation to Hotel	
	Free afternoon	

FRIDAY 11.12.81

	Closing of the Seminar	
09:30	Arrival of the President of the Republic	
	Speech by the Secretary of the INCB	
	Speech by a representative of the participants	
	Closing speech by the President of the Republic	
10:30	Presentation of Certificates	
12:00	Return to Hotel	

ANNEX 3
TIMETABLE FOR THE DRUG CONTROL ADMINISTRATORS GROUP
(Second week)

DATE	SUBJECT	SEMINAR LEADER
<hr/>		
<u>MONDAY 7.12.81</u>		
08:30	Depart Hotel for Conference Centre	
09:00-11:00	<u>THE STATISTICAL RETURNS SYSTEM:</u> Operation of the international control system for narcotic drugs	INCB INCB
11:00-11:30	RECESS	
11:30-13:00	The "Yellow List" of narcotic drugs. Practical questions on the preparation of statistical returns: Forms "A/S" and "C/S"	INCB
13:00-13:30	RECESS	
13:30-14:45	Practical questions on statistical returns (continued)	INCB and Participants
14:45	Return to Hotel	
17:00-19:00	Individual consultations	
<hr/>		
<u>TUESDAY 8.12.81</u>		
08:30	Depart Hotel for Conference Centre	
09:00-11:00	Import and export authorizations for narcotic drugs	INCB
11:00-11:30	RECESS	
11:30-13:00	The role of the Customs Co-operation Council Questions arising from the international trade in narcotic drugs	CCC CCC/INCB/DND
13:00-13:30	RECESS	

DATE	SUBJECT	SEMINAR LEADER
<u>THUESDAY 8.12.81</u>		
(continued)		
13:30-14:45	Practical questions on statistical returns and international trade (concluded)	INCB/CCC and Participants
14:45	Return to Hotel	
17:00-19:00	Individual consultations	
<u>WEDNESDAY 9.12.81</u>		
08:30	Depart Hotel for Conference Centre	
09:00-11:00	<u>THE ESTIMATES SYSTEM:</u> How the system works Introduction to Form "B" Methods for the preparation of national estimates	INCB
11:00-11:30	RECESS	
11:30-13:00	Practical questions on the preparation of national estimates	INCB and Participants
13:00-13:30	RECESS	
13:30-14:45	The Estimates System (concluded)	INCB and Participants
14:45	Return to Hotel	
17:00-19:00	Individual consultations	
<u>THURSDAY 10.12.81</u>		
08:30	Depart Hotel for Conference Centre	
09:00-11:00	<u>PSYCHOTROPIC SUBSTANCES</u> Practical requirements of the 1971 Convention Reporting on Form "P"	INCB
11:00-11:30	RECESS	
11:30-12:30	Questions arising from the international trade in Psychotropic Substances (Article 12)	INCB and Participants
12:30-13:00	RECESS	

DATE	SUBJECT	SEMINAR LEADER
<u>THURSDAY 10.12.81</u> (continued)		
13:00-13:45	Psychotropic Substances (concluded) Exemptions (Article 3) and Prohibitions and Restrictions (Article 13)	INCB and Participants
13:45-14:45	Suming up of the Seminar	
14:45	Return to Hotel	
17:00-19:00	Individual consultations (concluded)	

ANNEX 4

TIMETABLE FOR LAW ENFORCEMENT GROUP
(Second week)

DATE	SUBJECT	SEMINAR LEADER
<u>MONDAY 7.12.81</u>		
08:30	Depart Hotel for Conference Centre	
09:00-10:00	The drugs appearing in the illicit traffic: narcotic drugs, psychotropic substances, production and manufacture thereof	DND
10:00-11:00	Drug traffic and other crime	Spain
11:00-11:30	RECESS	
11:30-13:00	Sources of supply and manufacture including clandestine laboratories, trafficking trends worldwide	DND/ICPO Mexico
13:00	RECESS	
13:30-14:45	Recognition of drugs in the traffic; drug identification kits, etc.	DND/Mexico
14:45	Return to Hotel	
17:00-19:00	Individual consultations	
<u>TUESDAY 8.12.81</u>		
08:30	Depart Hotel for Conference Centre	
09:00-11:00	Elimination of sources of supply and manufacture; measures taken at national level	Mexico
11:00-11:30	RECESS	
11:30-13:00	National action against the illicit traffic and its place in coordinated international action: the role of ICPO/Interpol	DND/ICPO
13:00-13:00	RECESS	

DATE	SUBJECT	SEMINAR LEADER
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THUESDAY 8.12.81

(continued)

13:30-14:45 Methods of concealment of
 drugs in the traffic. Film

14:45 Return to Hotel

17:00-19:00 Individual consultations

WEDNESDAY 9.12.81

08:30 Depart Hotel for Conference
 Centre

09:00-11:00 Specific investigation techni-
 ques: informants, intelligence UK/CCC
 gathering, surveillance,
 records, prosecution, national
 and international cooperation,
 controlled delivery

11:00-11:30 RECESS

11:30-13:00 The investigation of drug USA/Canada
 traffickers' financial
 assets

13:00-13:30 RECESS

13:30-14;45 The monitoring of precursors USA/Canada
 of drugs of abuse; the need
 to prevent diversion of drugs
 from licit sources

14:45 Return to Hotel

17:00-19:00 Individual consultations

THURSDAY 10.12.81

08:30 Depart Hotel for Conference
 Centre

09:00 The role of customs autho- CCC
 rities; control of vulnerable
 points: ports, airports,
 frontier crossing points,
 post office depots, the use
 of drug scentic dogs (film)

11:00-11:30 RECESS

DATE	SUBJECT	SEMINAR LEADER
<u>THURSDAY 10.12.81</u> (continued)		
11:30-13:00	The development of intelligence through "outward" surveillance; smuggling of drugs by international concealment; the monitoring of air travel, etc	UK/CCC
13:00-13:30	RECESS	
13:30-14:45	Summing up of the Seminar	
14:45	Return to Hotel	
17:00-19:	Individual consultations	

ANNEX 5

LIST OF PARTICIPANTS/LISTA DE PARTICIPANTES

DRUG CONTROL ADMINISTRATORS GROUP/
GRUPO FUNCIONARIOS RESPONSABLES FISCALIZACION

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UN FUND FOR DRUG ABUSE CONTROL /
FONDO DE LAS NU PARA LA FISCALIZACION DEL USO INDEBIDO DE DROGAS*

Bror A. Rexed

Executive Director

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Abdelaziz Bahi

Secretary

Bertrand Juppín de Fondaumièrè

Deputy Secretary

Leonid Tchalykh

Chief, Narcotics Estimates Unit

Matthieu Mounikou

Chief, Narcotics Statistics Unit

Ansis Helmanis

Chief, Psychotropics Control Unit

Marie Kuesell

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DIVISION OF NARCOTIC DRUGS/ DIVISION DE ESTUPEFACIENTES*

George Ling

Director

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ANNEX 6

MODEL QUESTIONNAIRE FOR DRUG CONTROL ADMINISTRATORS GROUP

COUNTRY PROFILE:

What is the population of your country? _____

Please indicate the number of :

- Physicians _____
- Pharmacies _____
- Pharmaceutical wholesalers _____
- Dentists _____
- Veterinarians _____
- Paramedical _____

1. Is your country a Party to the 1961 Single Convention?

Yes No

a. If yes, do you implement the provisions of the Convention fully?

Yes No

b. If not, enumerate the provisions which you do not implement:

2. If not a Party to the 1961 Single Convention, what steps is your Government taking formally to adhere to the treaty?

PLEASE RETURN ONE COPY OF THIS COUNTRY PROFILE DULY COMPLETED TO:
SECRETARIAT OF THE INCB
Project 115/3
Vienna International Center
P.O. Box 500
A-1400 Vienna, Austria

This copy should reach us before 15 November 1981 at the latest.
Please bring 50 copies with you to the Seminar.

3. Is your country a Party to the 1971 Convention on Psychotropic Substances?

Yes No

a. If yes, do you implement the provisions of the Convention fully?

Yes No

b. If not, enumerate the provisions which you do not implement.

4. If not a Party to the 1971 Convention, what steps is your Government taking to adhere to the treaty?

5. Does your country currently manufacture narcotic drugs, psychotropic substances or pharmaceutical specialities containing these drugs or substances?

Yes No

If so, add a list of such products to the questionnaire.

6. Which of the following levels in the distribution system are subject to licensing or equivalent authorization?

Importers

Exporters

Manufacturers

Wholesalers

Retailers (dispensaries, stores, etc.)

Physicians

Pharmacists

Veterinarians

Paramedical personnel - which ones? _____

Other _____

7. Please describe the distribution channels for narcotic drugs or psychotropic substances in your country by indicating to which of the following main systems such channels best correspond:

1) Retailers - such as pharmacies, dispensaries, hospitals, research centres or even individual medical practitioners - are authorized to import these substances from abroad and distribute them locally.

2) Retailers obtain their supplies from a central government importer and/or from private wholesale companies which import and distribute the products within the country.

3) Retailers normally obtain their supplies from a central government importer and/or private wholesalers, but they are not excluded from obtaining supplies from abroad.

Please attach your response to the questionnaire (see Annex as an example).

8. Please describe the structure and operation of the drug control administration in your country for narcotic drugs and psychotropic substances.

8b. How does this administration ensure that the laws are being observed? (For example, do inspectors make regular or periodic visits to verify the records of: wholesalers, hospitals, pharmacies, practitioners, etc.)

9. Of what nature and how often are reports to be made to the national drug control administration concerning activities involving narcotic and psychotropic drugs?

10. How does your country collect the data necessary for the statistical reports to the Board?

11. Do you have any comments or suggested improvements concerning the statistical forms established by the INCB (A/S, C/S, B and P) to collect information from Governments?

12. Are the drugs authorized to be imported or manufactured in your country limited to those in:

- a national drug formulary
- a pharmacopoeia
- the World Health Organization's "Essential Drug and Complementary Drugs List"
- a national "essential drug list" based upon the specific health needs of your country. If so, please bring a copy to the Seminar.

13. What criteria are used in determining whether or not specific narcotic drugs and psychotropic substances should be available in your country for medical and scientific purposes?

14. Please describe how your country determines its estimated requirements of narcotic drugs for medical and scientific use. Is a similar system planned or applied for psychotropic substances?

15. In the training of medical students and when providing information to doctors, what emphasis is placed on the need for caution when prescribing and distributing narcotic and psychotropic substances?

16. Does your country have any initiatives to inform the public of the proper use of these substances as well as the health and social consequences associated with the non-medical use of dependence-producing drugs?

- No
- If yes, please explain how these aspects are brought to public attention.

17. How do officials in your country detect when psychotropic substances and narcotic drugs are being misused?
Please explain.

18. Please list which narcotic drugs or psychotropic substances are mostly abused in your country?

19. Where are such drugs obtained?

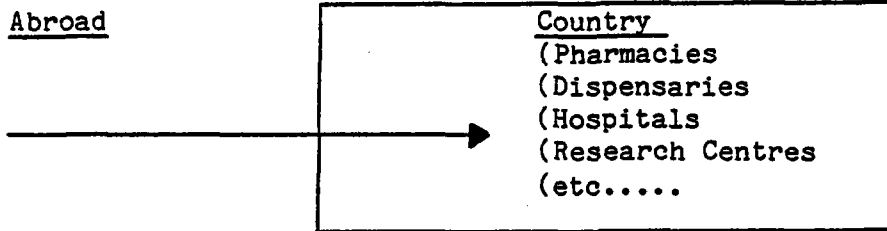
- From licit channels
- Illicitly manufactured
- Illicitly imported

20. Please make any other comments on the special problems or difficulties which your country may face regarding drug control. What assistance do you feel would be appropriate from the international drug control agencies?

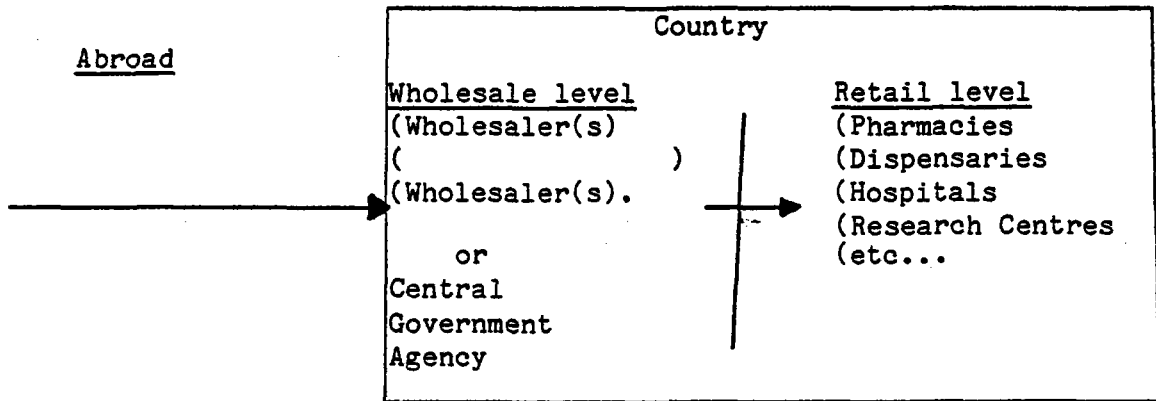
Annex I

Choose the system which best applies to your country, explaining any divergencies.

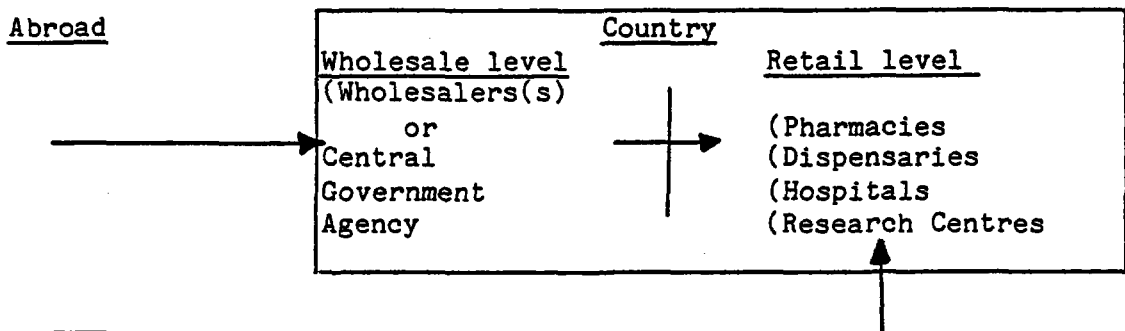
Example I: Retailers obtain their supplies solely from abroad.



Example II: Retailers obtain their supplies solely from local wholesalers.



Example III: Retailers normally obtain their supplies from local wholesalers although some also obtain supplies from abroad.



ANNEX 7

MODEL QUESTIONNAIRE FOR THE LAW ENFORCEMENT GROUP

List of questions to be addressed by participants

NOTE: When the word "drugs" is used below, this applies not only to narcotic drugs covered under the 1961 Single Convention on Narcotic Drugs, but also to psychotropic substances covered under the 1971 Convention on Psychotropic Substances.

A. ILLICIT TRAFFIC

1. What is the present illicit traffic situation in your country with regard to:
 - (a) The drugs themselves, that is, both narcotic drugs and psychotropic substances?
 - (b) trafficking routes?
 - (c) trafficking techniques?
 - (d) sources of supply?
 - (e) illicit production of opium and cannabis?
 - (f) illicit or uncontrolled production and manufacture of morphine, heroin, cocaine or any psychotropic substances?

2. In view of the emergence of parts of the Americas as sources of cannabis, cocaine, etc. being trafficked through some countries of the region to the international illicit traffic:
 - (a) What information is known regarding the source of raw materials and place of manufacture?
 - (b) What information is available regarding the source of chemical or other precursors of drugs for abuse?
 - (c) What action can be, or has been, taken to meet these developments?

3. In view of the emergence of illicit or uncontrolled traffic in psychotropic substances in some parts of the region, and in view of the possibility that some precursors of these substances may be moved into the region in the future for the illicit manufacture of psychotropic substances:

- (a) What information is known regarding the traffic in psychotropic substances?
- (b) What information is available regarding the sources of these psychotropic substances?
- (c) What action can be or has been taken to meet the threat of expanding traffic in psychotropic substances or in precursors for the illicit manufacture of these substances?

4. What seizures of drugs were made during 1980, and what statistics are available in respect of 1981? Please complete Annex I and Annex II attached.

5. Do the enforcement agencies in your country undertake any role in the prevention or reduction of abuse of illicit drugs? If so, please describe briefly.

B. DRUG CONTROL MEASURES

6. (i) Does your Government have any:
- (a) separate national drug control legislation? If so, please describe briefly.
 - (b) administrative machinery for formulating national policy and co-ordination of measures for drug control including interdiction of the illicit traffic? If so, please describe briefly.
- (ii) Are any new laws or administrative measures proposed for the future?
7. (i) What arrangements exist between your Government and the Governments of neighbouring countries for border controls and exchange of information?
- (a) in relation to the illicit traffic?

(b) for providing co-operation at local levels directly across any frontier and between enforcement officials stationed in frontier areas?

(ii) Are any new measures proposed in this respect?

8. Does your country have national law enforcement training institutions? If so, is drug law enforcement taught at this institution?

C. INTERNATIONAL CO-OPERATION

9. (i) Is your Government a Party to: the Single Convention on Narcotic Drugs, 1961; the 1972 Protocol amending that Convention; the 1971 Convention on Psychotropic Substances?

(ii) Is your country a member of the Customs Co-operation Council?

(iii) Is your Police Force a member of ICPO/Interpol?

(iv) Is your Government a Party to the South American Agreement on Narcotic Drugs and Psychotropic Substances?

10. Has your Government established other direct contact with any countries outside of the region whose drug demand is either sustained from sources in the region or which are affected by the illicit traffic transiting countries in the region? If so, have the results been beneficial?

11. Do you wish to describe any new or developing law enforcement techniques? If so, please do so.

D. FUTURE PLANNING: SPECIFIC COUNTER-MEASURES TO THE ILLICIT TRAFFIC

12. What further steps, in your view, need to be taken by countries of the region to strengthen co-operation between Governments in the field of drug control and specifically to co-ordinate action in the enforcement field?

Participants are requested to bring with them five copies of their responses on the above items.

1980 - ANNEX I

Drugs seized in the calendar year. Indicate the quantities of drugs seized in the calendar year and the number of seizures.

<u>Narcotic Drugs</u>	<u>Number of seizures</u>	<u>Weight</u>	<u>Remarks</u>
Opium (raw or prepared)			
Morphine			
Heroin			
Other opiates			
Synthetic narcotics			
Coca leaf			
Cocaine base			
Salts of cocaine			
Cannabis			
Cannabis resin			
		<u>Quantity</u>	
Liquid opium			
Liquid cannabis			
		<u>Number or Weight</u>	
Opium poppies			
Opium poppy seeds			
Cannabis plants			
Cannabis seeds			

Psychotropic substances

Weight

Amphetamines and
other stimulants

Barbiturates

Non-barbiturate sedatives
and tranquillizers

LSD

THC

Other hallucinogens

1981 - ANNEX II

Drugs seized in the calendar year. Indicate the quantities of drugs seized in the calendar year and the number of seizures.

<u>Narcotic Drugs</u>	<u>Number of seizures</u>	<u>Weight</u>	<u>Remarks</u>
Opium (raw or prepared)			
Morphine			
Heroin			
Other opiates			
Synthetic narcotics			
Coca leaf			
Cocaine base			
Salts of cocaine			
Cannabis			
Cannabis resin			
		<u>Quantity</u>	
Liquid opium			
Liquid cannabis			
		<u>Number or Weight</u>	
Opium poppies			
Opium poppy seeds			
Cannabis plants			
Cannabis seeds			

Psychotropic substances

Weight

Amphetamines and
other stimulants

Barbiturates

Non-barbiturate sedatives
and tranquillizers

LSD

THC

Other hallucinogens

ANNEX 8

List of documents distributed

Documents distributed by the Secretariat

1. Drug Control Administrators Group:

- Single Convention on Narcotic Drugs, 1961,
as amended by the 1972 Protocol Amending the Single
Convention on Narcotic Drugs, 1961
E/S
- Convention on Psychotropic Substances 1971
E/S
- Report of the INCB for 1980
E/S E/INCB/52
- Statistics on Narcotic Drugs for 1979
E/S E/INCB/53
- Statistics on Psychotropic Substances for 1979
E/F/S E/INCB/54
- Estimated World Requirements of Narcotic Drugs in 1981
E/F/S E/INCB/51
- Comparative Statement of Estimates and Statistics
E/S E/INCB/55
- Forms B, CS, AS, P, Yellow list, Green list
E/S
- Model Import and Export Authorization, and Export
Declaration Forms established by the Commission on
Narcotic Drugs for Psychotropic Substances
(PS/Form IA, EA, and ED)
E/S
- Note Verbale of INCB dated 18 February 1981
requesting Governments to comment on certain
voluntary proposals designed to enhance the
international control of psychotropic
substances
E/S
- Model Form approved by the CND of a Notification
under paragraph 1, of the 1971 Convention on
Psychotropic Substances
E/S

- Annual Report on the Working of the Conventions to the Secretary General

E/NR.FORM/1981
E/NR.SUMMARY/1980

- Audio visual Presentation:

INCB audiovisual programme
E/S

Text of the audiovisual programme
E/S

2. Law Enforcement Group

- Commission on Narcotic Drugs, Report of the twenty-ninth session (2-11 February 1981)
E/S

E/CN.7/668
(E/1981/24)

- Report and Recommendations of the Meeting on Drug Trafficking and other Crime
E/S

E/CN.7/657

- Report on a Meeting on Measures against the Use of Acetic Anhydride and Acetyl Chloride in the Illicit Manufacture of Heroin
E/S

E/CN.7/657/Add.1

- Report on a Meeting on Financial Assets and Transactions related to Illicit Drug Trafficking
E/S

E/CN.7/657/Add.2

- Supplement to the Report and Recommendations of a Meeting on Drug trafficking and other Crime
E/S

E/CN.7/657/Add.4

- Compilation of Resolutions, Decisions and Recommendations of the U.N. Drug Control Organs
E/F/S

- Catalogue of Technical Aids to Enforcement (Customs Co-operation Council)
E/S

- Background to a Meeting on Financial Assets and Transactions related to Illicit Drug Trafficking, Vienna 8-10 October 1980
E/S

MNAR/12/1980

- Background paper on a Meeting on Measures against the Use of Acetic Anhydride or Acetyl Chloride in the Illicit Manufacture of Heroin, Vienna, 6-7 October 1980
E/S MNAR/8/1980
- Draft Report and Recommendations of a Meeting on Drug Trafficking and other Crime, Vienna, 25-27 June 1980
E/S MNAR/5/1980
- Study on measures to reduce Illicit Demand for Drugs
E/S
- Manual on Drug Abuse Assessment, parts one and two
E/S
- Resource Book on Measures to reduce Illicit Demand for Drugs
E/S
- Training notes on the Practical Application of Article 18.1 of the Single Convention on Narcotic Drugs, 1961 and article 16.3 of the 1971 Convention on Psychotropic Substances
E/S
- Convention on Psychotropic Substances, 1971
E/S
- Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol amending the Single Convention on Narcotic Drugs, 1961
E/S
- Preventive and Treatment Measures to Reduce Illicit Demand for Drugs
E E/CN.7/673(Part One)
E/CN.7/673(Part Two)
- Countermeasures against the Illicit Traffic
E E/CN.7/674/Add.2
- Review of Trends in Drugs Abuse and the Illicit Traffic
E/CN.7/675/Add.1
Table III

- Status of Parties to the International Drug Control Treaties
- Check-list of 38 countries/territories of Central and South America and the Caribbean, covering: Parties to the international drug control treaties; submission of annual reports on the working of the treaties; the submission of individual seizure reports.

DND 421/1 of
1 September 1981

In addition, copies of national legislations and other pertinent materials were distributed by the participants.

ANNEX 9

DRAFT RECOMMENDATIONS FROM DRUG LAW ENFORCEMENT SECTOR
FOR POSSIBLE ACTION BY GOVERNMENTS

Annual Meetings

1. The Commission on Narcotic Drugs should be requested to authorize an annual meeting of Heads of National Narcotics Law Enforcement Agencies for Central America, the Caribbean and South America, in a country of the region, to develop practical countermeasures against rapidly escalating illicit drug traffic in those areas, to improve coordination in the fight against this illicit drug traffic and thus, to enable the Agencies concerned to act more effectively against an international problem.

The Commission should be further requested to ask the United Nations Fund for Drug Abuse Control to provide assistance to enable one representative from each participating country to attend these annual meetings if the country concerned could not otherwise be represented.

The Division of Narcotic Drugs should be requested to provide the Secretariat for these meetings in close cooperation with ICPO/Interpol and the Customs Cooperation Council.

Coordination

2. The Meeting noted that the Commission on Narcotic Drugs, at its twenty-ninth session, had decided in principle to set up a Drug Control Coordination Office for Central America, the Caribbean and South America to assist in coordinating regional drug control activities.

The Meeting fully supported this proposal and hoped that urgent action could be taken to finalize it.

Bilateral arrangements

3. The meeting noted that bilateral arrangements to counter the illicit drug traffic and related matters had proved very successful in some countries. The Meeting recommended to all Governments that such arrangements be favorably considered, especially where they allow direct contact between Drug Law Enforcement Offices and where they facilitate extradition proceedings and other means of bringing offenders to justice.

Coordination at National level

4. The Meeting noted the provisions of article 35 of the Single Convention on Narcotic Drugs, 1961, and of that Convention as amended by the 1971 Protocol, concerning coordination at the national level to

prevent and act against the illicit traffic. The Meeting urged Governments which had not yet done so, to set up such arrangements and, especially, to maintain and improve cooperation between Customs, Police, Immigration and other authorities which could help in work against the illicit traffic.

Action against illicit supply and demand

5. The Meeting noted the great importance of ending illicit supply of drugs and illicit demand for them. The Meeting hoped that the international community could support those countries which were making a genuine effort to end illicit supply of coca. The Meeting also asked that countries concerned, with multilateral assistance when necessary and possible, make every effort to determine the extent of illicit or uncontrolled opium poppy, coca and cannabis cultivation, so that the international community would have a more exact idea of the size of the threat facing it.

Drug law enforcement training

6. The Meeting noted the ability of the United Nations Division of Narcotic Drugs, in collaboration with ICPO/Interpol, the Customs Cooperation Council and the South American Agreement, with the financial support of the United Nations Fund Abuse Control, to set up drug law enforcement training seminars on request. The Meeting asked that more priority be given to Central America, the Caribbean and South America in this matter and that the United Nations Fund for Drug Abuse Control make additional money available for this purpose, if necessary.

The Meeting also asked, in the same context, that more priority be given to the production and distribution of audio-visual and other training and informational material covering not only problems directly associated with the illicit drug traffic, but also those related to it, including prevention and reduction of demand for illicit drugs.

Drug traffic and other crime

7. The Meeting noted the clear links which had been identified between drug trafficking and other crime, as a result of research both in some countries of the region and elsewhere. The Meeting urged concerned Agencies which had not done so to research these links to the extent possible as one means of convincing public opinion of the grave and growing threat presented by the illicit drug traffic.

Improved communication

8. The Meeting asked Governments and all concerned international organizations to continue to improve the capacity of drug law enforcement agencies to communicate quickly, accurately and securely both within countries and between them.

Harmonisation of laws and penalties

9. The Meeting asked that more effort be made by all Governments to harmonise drug control laws and penalties both regionally and internationally, taking particular account of the need to provide adequate deterrent penalties for drug trafficking offenses.

ANNEX 10

SUGGESTIONS AND VIEWS OF THE FOLLOWING PARTICIPATING COUNTRIES:
BOLIVIA, CHILE, COLOMBIA, COSTA RICA, DOMINICAN REPUBLIC, ECUADOR,
PARAGUAY, PERU, URUGUAY AND VENEZUELA

(1) Vote of thanks

The countries participating in the Training Seminar for Drug Control Administrators and Law Enforcement Officers in Latin America express their sincere congratulations to the Government of Mexico for its exemplary efforts in the fight against the illicit drug traffic. They also wish to express their thanks for the magnificent welcome which it extended to them and for its continuous displays of hospitality designed to make their stay in this beautiful country even more pleasant.

They also express their congratulations and thanks to the United Nations for the excellent idea of sponsoring this meeting which, besides bringing them together, has given them a realistic picture of the nature of the fight against a scourge which is threatening the very basis of their societies.

(2) Proposals

1. The United Nations should encourage the industrialized countries which have problems with drug traffic and/or drug consumption to give technical and financial support to countries with fewer resources, through the conclusion of an agreement.

2. The United Nations, through its responsible bodies, should give technical and financial support to the research, prevention and rehabilitation programmes of each of the participating countries; in addition to providing training for technical personnel in each of the areas, an activity which is already under way, it should assist in the implementation of the programmes concerned.

3. The United Nations should sponsor the signing of an agreement on narcotic drugs between the countries of the Caribbean basin.

4. The United Nations should maintain in each region (Caribbean basin and South America) a co-ordinator of the agencies which will take action in narcotic drug matters in each of the participating countries. In the case of South America, the headquarters of this co-ordinator would be in Buenos Aires, where the Permanent Secretariat of the South American Agreement on Narcotic Drugs and Psychotropic Substances is located.

5. In forthcoming seminars or meetings which it sponsors on the drug traffic, INCB should keep the subject active at its two technical levels: control (licit traffic) and suppression (illicit traffic).

6. As regards information, and without prejudice to the Nairobi Convention:

6.1 Those countries which effect seizures of drugs coming from other countries should notify first and foremost the country from which these drugs come and also those countries which may have been used as necessary stopovers for the illicit traffic, informing them about the mode of operation, the routes used and the types of concealment. A copy of the report on the subject should be submitted to the United Nations Commission on Narcotic Drugs. In any event, countries which receive such a notification should inform the country which sent the notification about the results of its investigations; a copy of these findings should also be sent to the Commission on Narcotic Drugs.

6.2 In cases where foreign nationals are arrested, the arresting agency should supply full information to the body responsible for suppression of the illicit traffic in the country of residence of the arrested person concerning the latter's personal data, mode of operation, connections, travel routes, methods of concealment and transport, etc., so that the country in question may make the necessary investigations, supplying the recorded judicial and/or police background material and notifying its findings to the agency which requested the investigation and to the United Nations Commission on Narcotic Drugs.

6.3 When movements on the part of persons connected with the drug traffic are detected, this information should be communicated to the appropriate agency of the country to which the persons in question are proceeding so that this body can keep a check on these movements and, if procedures involving seizures are carried out, the results should be reported to the body with which the report originated and to the United Nations Commission on Narcotic Drugs.

(3) Suggestion

Every country should consider the possibility of gradually proceeding to destroy coca, poppy and cannabis plantings and of replacing them with other crops.

This programme would necessarily require contributions of funds and equipment by the United Nations.

Countries which were beneficiaries of a programme for the eradication of plantings would be obliged to return equipment in the condition in which they received it.