

SUMMARY RECORD (PARTIAL) x/ OF THE  
SEVEN HUNDRED AND EIGHTY-SECOND MEETING

held on Monday, 24 February 1975, at 9.35 a.m.

Chairman:

Mr. JASJIT SINGH

India

ILLICIT TRAFFIC (agenda item 9) (continued) (E/CN.7/566, E/CN.7/569, E/CN.7/575,  
E/CN.7/L.379)

The CHAIRMAN said that the debate on illicit traffic had made it possible to reach some important conclusions. In the first place, despite the headway made, there could be no doubt that the situation in that field still gave cause for concern, and that the national detection and enforcement services should not relax their vigilance. As the Swedish representative had shown at the 781st meeting, it was not enough to draft and adopt international instruments; resolute action must also be taken at the national level against traffickers. Secondly, the increase in quantities seized, although possibly reflecting a revival of activity among traffickers, nevertheless revealed a gratifying expansion of efforts on the part of the competent authorities. Lastly, prospects for the development of international co-operation at the regional and multilateral levels, as brought out by the report of the Sub-Commission on Illicit Traffic and Related Matters in the Near and Middle East (E/CN.7/566) and the report of the Chairman of the Meeting of Operational Heads of National Narcotics Law Enforcement Agencies, Far East Region (E/CN.7/569), together with the stepping up of ICPO/Interpol activities, appeared highly encouraging. The meetings of high-ranking national officials could not, however, take the place of action at the local level and, following a seizure, it was vital that a prompt investigation should be carried out to determine the origin of the drug and, where necessary, that an immediate approach should be made to the competent authorities of the country in which it was suspected the illicit traffic had originated. That procedure would help to avoid a great deal of time-consuming hesitation, which benefited only the traffickers. It would also enable representatives to have accurate information at their disposal when replying to questions put by other delegations.

He suggested that the Commission should take note of the review of the illicit traffic in narcotic drugs and psychotropic substances in 1973 (E/CN.7/575), together with the comments of representatives.

It was so decided.

The CHAIRMAN invited the members of the Commission to consider draft resolution E/CN.7/L.379 on illicit traffic in narcotic drugs and psychotropic substances, submitted by France, Switzerland, Turkey, the United Kingdom of Great Britain and Northern Ireland and Yugoslavia, before examining the report of the Sub-Commission on Illicit Traffic and Related Matters in the Near and Middle East and the report of the Chairman of the Meeting of Operational Heads of National Narcotics Law Enforcement Agencies, Far East Region.

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x/ The rest of the meeting is not covered in the summary record.

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Draft resolution on illicit traffic in narcotic drugs and psychotropic substances  
(E/CN.7/L.379)

Mr. VAILLE (France) stressed the significance of draft resolution E/CN.7/L.379, which was intended to improve international co-operation with respect to detection work and exchanges of information, and to obtain the widest possible support from various countries, along the lines of the Chairman's conclusions. Some countries, however, considered themselves less threatened than others by the danger of the increase in narcotic drugs, and were not giving the problem the attention it deserved.

Mr. CHATLA (India), having congratulated the sponsors of the draft resolution on taking up the observations made during the debate, said he thought that the text was a satisfactory one. Nevertheless, to clarify the sense of operative paragraph 1, it would be better to replace the words "the bodies" by the words "the international bodies".

Dr. BABLIAN (Union of Soviet Socialist Republics) said he attached great importance to the draft resolution and particularly to operative paragraph 2, which aimed at establishing close co-operation among States with regard to the narcotics control campaign, a principle that his delegation had always approved. On the other hand, it had great difficulty in accepting the wording of operative paragraph 1, which was imprecise, even as amended by the Indian representative. It was not at all clear what international bodies or what resolutions were meant; each delegation would certainly want to know what its position had been when the recommendation and resolutions in question were adopted. The formula employed was far too general. However, as he realized it would take too long to mention all the relevant resolutions, the simplest solution would be to delete the paragraph completely. The same comment could be made regarding the fourth preambular paragraph, which mentioned only ICPO/Interpol and CCC, to the exclusion of all the other bodies.

Mr. VAILLE (France) said he agreed with the Indian representative's amendment. With respect to the USSR representative's comments, he pointed out that the main international bodies covered by the draft resolution were INCB, whose report was to be considered by the Commission under agenda item 5, ICPO/Interpol, which submitted an annual report containing its resolutions and decisions, and CCC, which in 1967 had adopted a recommendation that the information obtained by Customs investigatory services should be centralized and, in 1971, had adopted a recommendation concerning voluntary exchanges of information on illicit traffic. To meet the objections of the USSR representative, he proposed that operative paragraph 1 should be reworded to read:

"Invites States to take into consideration the recommendations and resolutions adopted to that end by the United Nations and by the international bodies which have specially concerned themselves with ...".

With respect to the fourth preambular paragraph, he emphasized that it should be retained, in view of the fact that ICPO/Interpol police and Customs services were playing a vital part in the concerted campaign against traffickers, even if not all countries belonged to that body. The representative of ICPO/Interpol would be able to give the members of the Commission further information on the agreements worked out by his organization.

Mr. AIRCA (Turkey) said he realized that every delegation had the right to maintain its previous position on the recommendations and resolutions that had been adopted by the United Nations and other international bodies, but the sheer number of those resolutions and recommendations was such that it was difficult to find one's way among them. The Indian representative's amendment did not clarify the matter, since the expression "international bodies" was just as vague as the term "bodies". In fact, it was difficult for a lawyer to regard ICPO/Interpol, for example, as an international body, despite the fact that its membership consisted of government-controlled security services, because it did not possess legal status in international law. To avoid any confusion, he proposed the following formula:

"Invites States to take into consideration the pertinent recommendations and resolutions as adopted by the competent organs of the United Nations and by other competent international bodies, in particular by INCB, ICPO/Interpol and CCC".

The remainder of the sentence would be deleted. On the other hand, the end of paragraph 2 would be reworded to read: "the illicit international traffic in narcotic drugs and psychotropic substances", thus taking up the last phrase of paragraph 1. In the French text of that paragraph, the expression "lutte coordonnée permettant d'assurer un échange de renseignements" did not sound well, and the word "lutte" should be replaced by the word "action". With respect to the fourth preambular paragraph, the USSR representative's objections could be met by adding the words "in particular" after the word "Noting".

Mr. NIKOLIĆ (Yugoslavia) proposed that the meeting should be suspended for a few minutes to enable the sponsors of the draft to have discussions with the delegations that had submitted amendments, with a view to the resolution being adopted unanimously.

The meeting was suspended at 10.30 a.m. and resumed at 10.50 a.m.

The CHAIRMAN invited the Secretary of the Commission to read out the text that had been agreed upon during the suspension.

Mr. HOLL (Secretary of the Commission) read out the new text, emphasizing the changes made.

In the first preambular paragraph, the words "the police and Customs" were to be replaced by the words "national law enforcement agencies". In the second preambular paragraph, the word "catching" was to be replaced by the word "detecting". In the fourth preambular paragraph, the words "Noting the agreements worked out under the auspices" were to be followed by the words "of the competent international bodies, such as ICPO/Interpol and CCC". The new version of operative paragraph 1 was to read: "Invites States to take into consideration the pertinent recommendations and resolutions as adopted by the organs of the United Nations, as well as by other competent international bodies". Lastly, in operative paragraph 2, the word "lutte" in the French text was to be replaced by the word "action", and the last words of the paragraph were to read "of the international illicit traffic in narcotic drugs and psychotropic substances".

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Mr. NIRCA (Turkey) expressed support for the new text of the draft resolution. He wished to state, however, that when he had referred earlier to ICPO/Interpol, he had in no way wished to cast doubts on its legal status. He merely wished to say that ICPO/Interpol had no legal status as far as international law was concerned.

Dr. DAMIAN (Union of Soviet Socialist Republics) congratulated the representative of Turkey on his pre-suspension analysis of the inherent difficulties of the draft resolution. He endorsed the proposal to replace the word "lutte" by the word "action" in operative paragraph 2, which also made that paragraph read better in Russian. The new text of the draft was appreciably better than the first but it did not, even so, fully satisfy his delegation.

Dr. F. BERAHI (Iran) referred to operative paragraph 2, which was not, in his view, absolutely clear. It seemed that a co-ordinated campaign providing for an exchange of information likely to facilitate the detection of illicit traffic could hardly be carried out in all countries unless it was planned by the competent United Nations bodies. Moreover, as there was no certainty that illicit traffic would be suppressed as a result of that campaign, the term "suppression" might be deleted. Operative paragraph 2 would then read: "Further recommends States to co-operate closely in a co-ordinated campaign planned by the competent United Nations bodies, providing for an exchange of information likely to facilitate the detection of the illicit traffic in narcotic drugs and psychotropic substances".

The CHAIRMAN pointed out to the representative of Iran that campaigns providing for an exchange of information likely to facilitate the control of illicit traffic were usually organized by the countries directly concerned.

Mr. JOHNSON-DAGBE YEMIN (Togo), speaking on a point of order, formally proposed the closure of the debate and requested a vote on the Iranian amendment, if the representative of Iran decided to maintain his proposal, and then on the text of the draft resolution as presented after the suspension.

Mr. NIRCA (Turkey) stressed the importance of adopting the draft resolution unanimously. Perhaps the representative of Togo would agree to deferring the closure of the debate for a few minutes, with a view to providing further clarification that would convince those delegations which, like the Iranian delegation, still had certain misgivings.

The CILIRIAN asked the representative of Iran whether he wished to maintain his amendment.

Dr. NOUSEKANI (Iran) said that, since there had been no opposition to his amendment, he could not withdraw it.

Mr. VAILLE (France) pointed out that the Iranian proposal had already been before the Commission at previous sessions and had not been adopted. Indeed, a United Nations resolution could not be drafted in the wording proposed by the Iranian delegation for the reasons given by the Chairman. Clearly, as far as

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enforcement action was concerned, bilateral or multilateral co-ordination at the operational level was essential at all times. It could not therefore be subordinate to a campaign planned by the competent United Nations bodies, which would take much too long a time to prepare. Consequently, if the representative of Iran did not withdraw his amendment, his own delegation would have to vote against it. With regard to the deletion, in operative paragraph 2, of the word "suppression", he mentioned that, in the course of his informal discussions with several observers, the latter had expressed regret that the text of the draft resolution was not more forceful. He therefore felt it was important to retain the word "suppression" and to achieve a consensus that would demonstrate the Commission's desire to improve the illicit traffic situation.

Mr. KIRCA (Turkey) whole-heartedly endorsed the views expressed by the representative of France. He reminded the Commission that the most recent report of the Division of Narcotic Drugs on the work of the United Nations, the specialized agencies and other organizations (E/CH.7/570) was accompanied by a report by the Secretary-General on the co-ordination of the activities of international organs and organizations in the struggle against the abuse of drugs (E/CH.7/570/Add.1). No one had ever proposed that only the United Nations was capable of drawing up co-ordinated plans to control the abuse of drugs and the illicit traffic. Apart from anything else, the Iranian amendment would cast doubt upon action being taken by the Iranian-Turkish Joint High Border Commission to deal with the illicit traffic in narcotic drugs, and would thus violate the frontier agreement between Iran and Turkey. If, therefore, the Iranian delegation did not withdraw its amendment, Turkey would vote against it.

Mr. MIHOLIC (Yugoslavia) fully endorsed the views of the representatives of France and Turkey and said he would also vote against the Iranian amendment.

The Iranian amendment was rejected by 24 votes to 1, with 2 abstentions.

Draft resolution E/CH.7/L.379, as amended, was adopted by 25 votes to 1, with 1 abstention.

The discussion covered in the summary record ended at 11.20 a.m.