

UNITED NATIONS  
ECONOMIC  
AND  
SOCIAL COUNCIL



Distr.  
GENERAL

E/CN.7/SR.262

9 May 1955

ENGLISH

ORIGINAL: FRENCH

COMMISSION ON NARCOTIC DRUGS

Tenth Session

SUMMARY RECORD OF THE TWO HUNDRED AND SIXTY-SECOND MEETING

Held at Headquarters, New York,  
on Monday, 18 April 1955 at 3.15 p.m.

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PRESENT:

<u>Chairman:</u>	Mr. VAILLE	France
<u>Rapporteur:</u>	Mr. SALDANHA	India
<u>Members:</u>	Mr. HOSSICK	Canada
	Mr. TSAO	China
	Mr. LABIB	Egypt
	Mr. PANOPOULOS	Greece
	Mr. ARDALAN	Iran
	Mr. RABASA	Mexico
	Mr. CALLE Y CALLE	Peru
	Mr. KULAGA	Poland
	Mr. OZKOL	Turkey
	Miss VASILYEVA	Union of Soviet Socialist Republics
	Mr. WALKER	United Kingdom of Great Britain and Northern Ireland
	Mr. ANSLINGER	United States of America
	Mr. NIKOLIC	Yugoslavia
<u>Also present:</u>	Mr. MAY	Permanent Central Opium Board
<u>Representatives of specialized agencies:</u>	Dr. HALBACH	World Health Organization
<u>Secretariat:</u>	Mr. YATES	Director, Division of Narcotic Drugs
	Mr. PASTUHOV	Secretary of the Commission

INVITATIONS TO STATES NOT MEMBERS OF THE COMMISSION TO BE REPRESENTED BY  
OBSERVERS AT THE COMMISSION'S TENTH SESSION

Mrs. VASILYEVA (Union of Soviet Socialist Republics), referring to the decisions the Commission had taken on the question, said that her delegation reserved the right to submit further proposals concerning invitations to be sent to some other States.

ORGANIZATION OF WORK

The CHAIRMAN introduced the timetable prepared by the Commission's Bureau for the current session.

In order to facilitate the Commission's work, the Bureau proposed that three committees should be set up. The Commission could decide on the setting up of a committee to study the question of myristyl ester when it took up item 3 (h) of its agenda. It should decide at once however whether a committee on seizures ((agenda item 4) and a committee on the revision of the form of annual reports (agenda item 3 (c)) should be set up and, if so, what should be the membership of those committees.

In reply to a question by Mr. NIKOLIC (Yugoslavia), the CHAIRMAN explained that the committee on seizures to be appointed at present would function from the beginning of the session in the same way as in the preceding year, and it would have the task of preparing the work of the Commission on illicit traffic. The problem of setting up a standing committee on seizures would be taken up in connexion with agenda item 4.

In accordance with the Bureau's proposals, the Chairman suggested that the representatives of Canada, Egypt, Greece, India, Mexico, United Kingdom, United States and Turkey should be appointed as members of the Committee on seizures, and that the representatives of Canada, France, Iran, the United Kingdom and the United States, as members of the committee on the revision of the form of annual reports.

It was decided to set up a committee on seizures and a committee on the revision of the form of annual reports, composed of the above representatives.

The CHAIRMAN pointed out that any member of the Commission could attend, or send a representative to, the committees' meetings.

He proposed that the Commission should accept the Bureau's proposals that the committee on seizures should meet at 9.45 a.m. and that the plenary meetings of the Commission should be held from 11 a.m. to 1 p.m. and from 2.45 p.m. to 5.30 p.m.

It was so decided.

The CHAIRMAN proposed that the Commission should approve the Bureau's proposal that agenda items 8, 9 and 10, which dealt directly with the single convention, should be taken up before item 5.

It was so decided.

The CHAIRMAN proposed that the Commission should also adopt the order which the Bureau proposed for the consideration of the other agenda items.

Mr. NIKOLIC (Yugoslavia) thought that item 6 should be examined immediately after item 4 since the questions of drug addiction and illicit traffic were closely linked. In order to allow the committee on seizures the time to study the question of illicit traffic and in view of the Council's recommendation that the Commission should speed up its work on the single convention, the two items should be taken up after items 8, 9, 10 and 5. He therefore suggested that the order proposed by the Bureau should be changed, and item 6 listed immediately after item 5.

It was so decided by 10 votes to none, with 3 abstentions.

After an exchange of views in which Mr. NIKOLIC (Yugoslavia), Mr. ARDALAN (Iran) and Mr. ANSLINGER (United States of America) took part, the CHAIRMAN proposed that five, instead of four meetings should be set aside for item 5, and that the number of meetings to be devoted to item 4 (a) should be reduced from six to five.

It was so decided by 8 votes to 3, with 3 abstentions.

The CHAIRMAN pointed out that the number of meetings decided on was merely an estimate and could be changed according to the speed with which the Commission progressed in its work.

The timetable prepared by the Bureau was adopted, subject to the above changes.

REPORT OF THE DIVISION OF NARCOTIC DRUGS (E/CN.7/289 and Add.1)

Chapter II

Section 3 - Establishment of a United Nations Narcotics Laboratory

Mr. ARDAIAN (Iran) said that his delegation wholeheartedly supported the establishment of a laboratory at Geneva. If, however, the Commission considered necessary to set up a second laboratory, it would be best to do so in one of the major producing countries. Iran would in that case be happy to receive a narcotics bureau and laboratory in its territory.

Mr. PANOPOULOS (Greece) recalled his Government's proposal for the establishment of a narcotics laboratory in Greece, where the costs would be low. Even if a laboratory was set up at Geneva, it might be useful to establish a smaller laboratory for research on opium and hemp at Athens, since Greece was not far from the countries which were the major producers of those narcotics.

The CHAIRMAN thanked the representatives of Iran and Greece on behalf of the Commission but recalled that the General Assembly had decided, in its resolution 834 (IX), to set up a United Nations laboratory at Geneva.

Mr. ANSLINGER (United States of America) proposed that the Commission should postpone the discussion of the question of the laboratory until it came to agenda item 11.

It was so decided.

Section 4. Appointment of a member of the Permanent Central Opium Board

The CHAIRMAN, speaking for the Commission, congratulated Mr. Liang, whose work had been much appreciated by the Commission, on his appointment as member of the Permanent Central Opium Board.

Section 8. Control and limitation of documentation

Mr. WALKER (United Kingdom) felt that the Council had been wise to approve the Secretary-General's proposal that the issue of annual reports of Governments as separate fascicules should be discontinued and only a summary of annual reports should be issued as a document. As the complete reports would remain on file in the Secretariat and be available to all parties to the Conventions on request, the limitation of the documentation circulated would not have the drawback of depriving Governments of a valuable source of information, yet would have the advantage of avoiding congestion in representatives' offices.

The CHAIRMAN, speaking as the representative of France, felt that the publication of the annual reports of Governments in full offered great advantages over the publication of summaries of those reports. The Council had, however, expressed "its general approval of the suggestions relating to the priorities and programmes" of publications.

Speaking as Chairman, he asked the Commission to state its views on the plan regarding publication and studies relating to the annual reports of Governments.

The Commission approved that part of the plan by 12 votes to 3.

Mr. ANSLINGER (United States of America) wondered whether the proposed reduction would appreciably reduce the Secretariat's work and the volume of publications incumbent upon the United Nations.

Mr. YATES (Secretariat) recalled that the Secretariat was not required, under the Conventions, to publish the annual reports of Governments in full; it was merely required to publish the texts of laws and regulations. While the

(Mr. Yates, Secretariat)

United States and other Governments transmitted their annual reports to the Secretariat in a large number of copies, many Governments were unable to do so, if only on account of considerations of time and distance. Moreover, even if all Governments were able to supply a large number of copies of their annual reports, the Secretariat would have to have those reports translated into and reproduced in the working languages, at a considerable cost.

Mr. TSAO (China), pointing out that in its resolution 557 A (XVIII) the Council had invited the Secretary-General to take such action as was appropriate to put his suggestions into effect, was inclined to question whether any useful purpose was served by the vote just taken. He had voted against the proposal to show that his Government favoured the continued publication of the annual reports, which it regarded as an invaluable source of information, in full.

The CHAIRMAN said that the Commission's vote related to the plans regarding publications and studies rather than to the proposals made in the Secretary-General's report, of which, moreover, the Council had merely expressed its "general approval". In its resolution 557 (A) (XVIII) the Council had invited the Secretary-General to submit those plans to the commissions, for their consideration. The Commission should therefore express its views on the plan for the publication of the Bulletin on Narcotics.

Speaking as the representative of France, he said that the Bulletin improved from year to year. As a publication it had a high standing and was in great demand; it contributed perhaps more to the good name of the United Nations than many other publications dealing with questions of a wider import. The topics dealt with were highly diversified, being not only scientific, but also legal and social. For example, the article by Mr. May on the Commission's work deserved wider dissemination than mere circulation to members of the Commission. It would be regrettable if, owing to a regrettable reduction in the number of issues of the Bulletin in each year, such articles had to be discontinued, so that only the Commission would know of such work.

Mr. ANSLINGER (United States of America) also felt that the Bulletin's usefulness would be forfeit if the number of issues appearing each year were reduced, as contemplated, to three or two.

Mr. HOSSICK (Canada) associated himself with the praise expressed for the publication and requested that the Bulletin should continue to be published four times a year.

Mr. ARDALAN (Iran) endorsed the proposal and hoped that the request would be submitted to the Council at its twentieth session.

Mr. OZKOL (Turkey) was likewise in favour of continuing to publish the Bulletin four times a year.

Mr. YATES (Secretariat) said that the frequency of issue of the Bulletin would depend both on the Commission's recommendation and on the action which the Council might take on it. For the present year it would be possible, if so decided, to publish three or four issues, perhaps with some delay. So far as the annual reports were concerned, the Secretariat, which had issued the annual reports for 1953 as separate fascicules and had summarized them in a separate document, did not contemplate issuing as separate fascicules the annual reports for 1954 which it had already received or would still receive unless the Council reversed its decision. The substance of those reports would be brought to the notice of Governments through the 1954 summary.

The CHAIRMAN asked the Commission to express its views on the principle of retaining the quarterly issue of the Bulletin. If the proposal were adopted, the Rapporteur would prepare a draft resolution which would be submitted to the Commission later.

That procedure being accepted, he put to the vote the proposal that the Council should be requested to maintain the frequency of issue of the Bulletin at four issues per year.

The proposal was adopted by 11 votes to none, with 4 abstentions.



The CHAIRMAN asked the Commission to express its views on the proposal that the request for a digest of laws should be rescinded.

Mr. YATES (Secretariat) reviewed the past history of the question of the publication of a digest of laws. It had its genesis in Economic and Social Council resolution 49 (IV) in which the Council had approved the decision of the Commission to initiate the preparation of a digest of laws giving an analytical survey of national legislation in all countries parties to the conventions. The purpose of that decision had been to ascertain whether the legislation of those countries was in accordance with the conventions. Through lack of personnel and of the necessary appropriations, it had never been possible to give full effect to that decision. It was in pursuance of that resolution, however, that the Secretariat published the Annual Summary of Laws and Regulations relating to the Control of Narcotic Drugs and a cumulative index of those laws and regulations. There was no question of discontinuing the publication of the legislative texts in separate fascicules, such publication being an obligation under article 21 of the Convention of 13 July 1931. In recommending that a digest of laws should not be published the Commission would merely be approving, through its recommendation, an existing state of affairs.

The CHAIRMAN recalled that, under the 1931 Convention, Governments were required to communicate their legislative texts as they appeared, but not to submit together, each year, both the basic and the amending enactments. It might be possible, however, through a rather wide interpretation of that obligation, to request Governments to bring their legislation up to date from time to time, for example every five years, and to communicate the text thereof to the Secretariat. That method would avoid imposing too heavy a burden of work and expense on the Secretariat. He suggested that the Commission should decide to include in the agenda of its next session the question of the publication of the laws that had been brought up to date. Every representative would then avail himself of the intervening year to request his national administration to secure the opinions of qualified jurists so that the discussion could proceed on a more definite basis next year.

It was so decided.

Section 9 D - Universal Postal Union

The CHAIRMAN, referring to paragraph 59, said that postal services were in the same position as customs services in the matter of identifying narcotic drugs, especially synthetic drugs, and that if no decision were taken to adopt a special mark which must appear on medicaments containing narcotic drugs, the control procedures would be of no practical value.

With regard to paragraph 62.3, sub-paragraph (a), he proposed that the Commission should reply that the term "other narcotics" as used in the Universal Postal Convention was sufficient.

It was so decided.

Mr. LABIB (Egypt), referring to sub-paragraph (b) of the same paragraph, said that it was often difficult to describe medicaments containing synthetic narcotic drugs by their technical designations. He would like to know what stage had been reached in the work being done by WHO on non-proprietary names.

Dr. HALBACH (World Health Organization) said that WHO was trying to expedite the selection of recommended international non-proprietary names, particularly for the new narcotic drugs coming under international control. The international non-proprietary names were being included in the International Pharmacopoeia. They might well be used also, instead of chemical names or trademarks, for purposes of the postal services.

The CHAIRMAN said that, since the WHO machinery was inevitably slow, there would necessarily be some delay in reporting the narcotics under international control to the UPU if their chemical names, which were sometimes very long, were used. There would also be a delay in circulating the common names assigned to the same narcotics; in addition, those names would not always be used by the manufacturers. He felt, therefore, that the best solution was, as he had already said, to put into general use the system of labelling (double red thread) recommended by the Commission at a previous session,

He proposed that the Commission should recommend the inclusion in the regulations for the application of the Universal Postal Convention of a general formula indicating that the list of prohibited substances would be brought up to date periodically.

It was so decided.

Mr. WALKER (United Kingdom), referring to sub-paragraph (c), said that if the Commission decided to draw up an article prohibiting the shipment of narcotic drugs to post office boxes in foreign countries, such an article should be introduced in the single convention, since the latter was to include all the provisions on narcotics. In any case, the fundamental question was a delicate one. In certain countries, the shipment of narcotic drugs to post office boxes might make illicit traffic easier. But conditions varied from one country to another and in some places it might be preferable not to address the shipment directly to the recipient. It should be left to Governments to decide the question, in the light of the situation in their countries and the type of illicit traffic they had to combat.

The CHAIRMAN recalled that, at a previous session, the Commission had taken a decision in favour of prohibition.

Mr. YATES (Secretariat) invited the Commission to refer to its decisions at the eighth session (page 26 of the Commission's report on its eighth session). The only change in section 35, paragraph 13, prohibiting the export of consignments to a post office or a bank [to the account of a third party] was the suppression of the brackets. The article already appeared in the draft convention.

Mr. NIKOLIC (Yugoslavia) thought, for the same reasons as the United Kingdom representative, that if the Commission finally decided to adopt such a clause, it should appear in the single convention.

It was so decided.

Section 9 E - Permanent Anti-Narcotics Bureau of the League of Arab States

Mr. ARDALAN (Iran) expressed satisfaction that a United Nations regional bureau of narcotics was being considered for the Middle East. His Government thought, as it had already indicated in writing, that such a bureau, if established, should have its headquarters in Iran, which was one of the principal producers of opium and was best situated for carrying out the decisions of the Commission and the Economic and Social Council.

The CHAIRMAN suggested that the Commission should not dwell on the other chapters of the report, since, with the exception of chapter XIII dealing with a question that had already been discussed, and chapter VIII which, at the request of the Greek delegation, would be considered separately the next day, all of the chapters related to questions which the Commission would study in detail and for the consideration of which the report could be used.

He would however, refer to paragraph 135 (chapter VIII), as he wished to congratulate in person Miss Osborn for the excellent work she had accomplished in France. It was extremely fruitful to send Secretariat members to countries to study certain questions, and he hoped that that method would continue to be used.

Mr. NIKOLIC (Yugoslavia) supported the Chairman's suggestion concerning the consideration of other chapters of the report.

The suggestion was adopted.

Mrs. VASILYEVA (Union of Soviet Socialist Republics), referring to paragraph 79.2 of document E/CN.7/289/Add.1, requested that the Byelorussian SSR and the Ukrainian SSR be removed from the list of countries whose annual reports had not reached the Secretary-General by 15 March 1955. The information on those two countries was included in the USSR report.

The meeting rose at 5.30 p.m.