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COMMISSION ON NARCOTIC DRUGS

Fourth Session

SUMMARY RECORD OF THE SEVENTY-NINTH MEETING

Held at Lake Success, New York,
on Monday, 16 May 1949, at 2.30 p.m.

- CONTENTS: Progress report on the work of the Commission on Narcotic Drugs (E/CN.7/160)
- Summary of replies received up to 6 April 1949 to the circular communications despatched by the Secretary-General in connexion with decisions taken by the Commission on Narcotic Drugs and resolutions adopted by the Economic and Social Council or in execution of provisions of the Conventions on narcotic drugs (E/CN.7/160/Add.1)
- Circular communications despatched by the Secretary-General in connexion with decisions taken by the Commission on Narcotic Drugs and resolutions adopted by the Economic and Social Council, or in execution of provisions of the Conventions on Narcotic Drugs (E/CN.7/157)
- Consideration of the summary of annual reports for the year 1947 (E/CN.7/W.43, E/CN.7/W.43/Corr.1)

<u>Chairman:</u>	Mr. KRASOVEC	Yugoslavia
<u>Members:</u>	Colonel SHARMAN	Canada
	Mr. HSIA	China
	Brigadier EL-KHOULI Bey	Egypt
	Mr. BOURGOIS	France
	Mr. MENON	India
	Mr. ARDALAN	Iran
	Mr. RABASA	Mexico
	Mr. KRUYSSSE	Netherlands
	Mr. AVALOS	Peru
	Mr. RUDZINSKI	Poland
	Mr. OR	Turkey
	Mr. ZAKUSOV	Union of Soviet Socialist Republics
	Mr. HUTSON	United Kingdom
	Mr. ANSLINGER	United States of America

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Also present: Mr. MAY President of the Permanent Central Opium Board and of the Supervisory Body

Secretariat: Mr. STEINIG Director of the Division of Narcotic Drugs, representing the Assistant Secretary-General in charge of Social Affairs

Mr. PASTUHOV Secretary of the Commission

PROGRESS REPORT ON THE WORK OF THE DIVISION OF NARCOTIC DRUGS (E/CN.7/160)

Mr. STEINIG (Secretariat) noted that document E/CN.7/160/Add.3 which contained a table of ratifications of all existing conventions and protocols had not yet been distributed. It was hoped that it would soon be in the hands of the members of the Commission.

Mr. KRUYSSSE (Netherlands) was particularly gratified at the reference on page 6 to the annual report of the Permanent Central Board. He expressed his delegation's appreciation of the useful information contained in the Board's first report since the war. Unfortunately, the Council had only had time to take note of it.

Mr. MAY (President of the Permanent Central Opium Board) pointed out that the Social Commission of the Council had expressed its appreciation of the Board's report. It had been drafted in a much clearer form than pre-war reports. The brief summaries of information it contained had been arranged not by countries, as formerly, but by drugs. The second edition, which would be much more detailed, was expected to appear very shortly.

The CHAIRMAN noted that the Board's report would be discussed more fully in connexion with item 17 of the agenda.

Mr. ZAKUSOV (Union of Soviet Socialist Republics), referring to the list of States appearing on page 10 of the Progress Report, recalled that his delegation as well as that of the Byelorussian SSR had reserved their positions in respect of Article 8 of the Protocol. He therefore questioned the application of the phrase "without reservation" to those States.

The CHAIRMAN explained that while the reservation concerning the article containing the colonial clause had been fully acknowledged, the USSR and the Byelorussian SSR had signed the Protocol without reservation as to acceptance.

Inasmuch as four additional States had sent in reports since the Progress Report had been drafted, the third paragraph on page 13 should be corrected to read: "twenty-five Sovereign States..." Mexico had sent a long report in Spanish which had been translated into English and French and distributed to the members of the Commission.

In reply to a query from Mr. KRUYSSSE (Netherlands) concerning the tables on page 14, Mr. STEINIG (Secretariat) explained that countries which had submitted ten or more reports on illicit traffic had been included in the first table, while those which had sent in less than ten appeared in the second table.

Mr. KRUYSSSE (Netherlands) further recalled that some objection had been raised to the new procedure whereby a summary of seizure reports was communicated to the parties to the Conventions every two months, as stated on page 15.

After consulting the members of the Commission, the CHAIRMAN said that there was apparently no objection to the new procedure.

To a further question from the Netherlands representative concerning details on the composition of the preparation "Valbine", mentioned on page 17, Mr. PASTUHOV (Secretary of the Commission) replied that the composition was given in a WHO document, WEO/HFD/9, which had been circulated in connexion with item 16 of the agenda.

Replying to a question from Mr. ANSLINGER (United States of America), Mr. STEINIG (Secretariat) said that the Narcotics Bulletin mentioned on the last page of the Progress Report was to be published as a quarterly and the first issue was expected to appear three months before the end of 1949.

SUMMARY OF REPLIES RECEIVED UP TO 6 APRIL 1949 TO THE CIRCULAR COMMUNICATIONS DESPATCHED BY THE SECRETARY-GENERAL IN CONNEXION WITH DECISIONS TAKEN BY THE COMMISSION ON NARCOTIC DRUGS AND RESOLUTIONS ADOPTED BY THE ECONOMIC AND SOCIAL COUNCIL OR IN EXECUTION OF PROVISIONS OF THE CONVENTIONS ON NARCOTIC DRUGS (E/CN.7/160/Add.1)

The Commission considered the summary of replies from Governments. There were no observations made on it.

CIRCULAR COMMUNICATIONS DESPATCHED BY THE SECRETARY-GENERAL IN CONNEXION WITH DECISIONS TAKEN BY THE COMMISSION ON NARCOTIC DRUGS AND RESOLUTIONS ADOPTED BY THE ECONOMIC AND SOCIAL COUNCIL OR IN EXECUTION OF PROVISIONS OF THE CONVENTIONS ON NARCOTIC DRUGS (E/CN.7/157)

The Commission considered the document page by page. The Chairman noted that the letter on page 25 would be discussed fully in connexion with item 11 of the agenda.

As there were no general remarks, the CHAIRMAN considered that the Commission had disposed of item 3 of the agenda, with the exception of the table of ratifications to which it would revert at a later stage.

CONSIDERATION OF THE SUMMARY OF ANNUAL REPORTS FOR THE YEAR 1947
(E/CN.7/W.43, E/CN.7/W.43/Corr.1)

Mr. HUTSON (United Kingdom) said that he had received a copy of the Secretariat's Summary of Annual Reports for 1947 only that morning and he asked for the date of actual distribution of the document.

Mr. STEINIG (Secretariat) replied that the document was sent to the documents service on 15 April but owing to the extraordinary pressure of work during the General Assembly the document was not distributed until 11 May. In ordinary circumstances, the document would be distributed four to five days after it had been sent to the documents service.

Mr. HUTSON (United Kingdom) said that while he sympathised with the difficulties experienced by the Secretariat he felt that the document should bear two dates, namely, the date of completion of the draft and the date of issue at Lake Success.

Mr. STEINIG (Secretariat) stated that the Secretariat would make the necessary enquiries.

The CHAIRMAN pointed out that all documents should bear the date on which the drafting had been completed.

Colonel SHARMAN (Canada) said that if an annual report showed fundamental defects in the control of drugs and the system of import certificates and export authorizations, the Secretariat should draw the attention of the countries concerned without waiting for instructions from the Commission. He cited as examples the case of Albania which had imported drugs without the required import certificates, and that of the Falkland Islands whose report was inadequate as it merely referred back to the 1939 report.

/Mr. STEINIG

Mr. STEINIG (Secretariat) said that in studying the annual reports the Secretariat had noted instances in which further information or explanations might be required; but under article 21 of the 1931 Convention and the relevant articles of the 1912 and 1925 Conventions, the Secretary-General was merely a channel for transmission between Governments; he was not expressly vested with the right of making inquiries.

Colonel SHARMAN (Canada) said that the Commission should take steps to correct the present situation by empowering the Secretary-General to initiate inquiries and draw the attention of Governments to possible breaches of the Convention.

If the Commission agreed in principle to his suggestion, the Canadian representative said that he would later submit a formal motion.

Mr. STEINIG (Secretariat) said that under the existing Conventions the Secretary-General was required to transmit all communications and reports without comment. The only exception was that the Secretary-General requested clarification from the Governments concerned when communications were not clear.

In reply to a question by Mr. ANSLINGER (United States of America), Mr. STEINIG said that the practice had been for the Secretary-General to send letters of reminder to Governments which had not submitted their reports, but the Commission might make a recommendation authorizing the Secretary-General to send out letters to Governments, by a certain date, notifying them that their reports had not been received on the date required.

The CHAIRMAN asked the Commission to examine document E/CN.7/W.43 page by page.

Mr. STEINIG (Secretariat) referring to the table on page 3 of the document, pointed out that owing to the receipt of additional reports since the document was drafted, the text was now as follows:

Under the heading of "Territories 1947", the figure 1 under "Europe" was now 2; the figure 2 under "South America" 3, and the figure 9 under "Asia" 10. The total therefore for "1947 Territories" was now 60. In the column for the totals for 1947, the figure for "Europe" was 24; for "South America" 8, and for "Asia" 15. The grand total for 1947 was 101. Had those additional reports been received in time to be included in the Summary corresponding changes would have had to be made in the first paragraph of the Introduction on page 3 of the document.

In reply to questions by Mr. KRUYSSSE (Netherlands), Mr. ANSLINGER (United States of America) said that the trizonal Opiumstelle mentioned at the bottom of page 4 had been recently set up and was similar to the former Reichsgesundheitsamt. It was however limited to administrative services and was not carrying on the scientific work of the former Reichsgesundheitsamt.

Colonel SHARMAN (Canada) wondered why the Netherlands publication mentioned at the bottom of page 5 had been included in the section headed "Laws and Publications", which presumably covered Government publications.

Mr. KRUYSSSE (Netherlands) said that the Netherlands publication had been inserted under the wrong heading and pointed out that a similar mistake had been made in mentioning the United States publication at the top of page 9.

The Netherlands Government had originally listed all publications under the heading "Laws and Publications" in the report, but had changed its practice because it had noticed that other Governments listed only publications of a legal character. The Commission could perhaps study the question of listing publications in the report under different headings.

Mr. STEINIG (Secretariat) said that the publications mentioned were not necessarily of a legal character, but of a scientific character in general. The Commission could of course change the form prescribed by it for the annual reports to be furnished by Governments; the Secretariat in drawing up its Summary had followed the form now in force.

The CHAIRMAN suggested that the Commission might discuss the matter further when it reached item 19 of the agenda dealing with "Consideration of other questions".

With regard to page 10 of the document, he pointed out that in paragraphs 6 and 9 the dollar sign should be taken as meaning "Pesos".

The Commission made some minor drafting changes in page 14, and concluded the examination of the section on "Laws and Publications".

The meeting rose at 5 p.m.