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UNIFICATION OF CONVENTIONS ON NARCOTIC DRUGS

OUTLINE OF GENERAL PRINCIPLES ON WHICH A NEW SINGLE CONVENTION MIGHT BE BASED

Note by the Secretary-General

Referring to his note to the study on the "Scope of the Convention - Definitions" (E/CN.7/W.41) the Secretary-General has the honour to transmit herewith to the Members of the Commission on Narcotic Drugs this memorandum containing an "Outline of general principles on which a new single Convention might be based."

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Definitions

Throughout this document the term

"1912 Convention" denotes International Opium Convention, signed at The Hague, 23 January 1912.

"1925 Convention" " International Opium Convention, signed at Geneva, 19 February 1925.

"1931 Convention" " International Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, signed at Geneva, 13 July 1931.

"1936 Convention" " The Convention of 1936 for the Suppression of the Illicit Traffic in Dangerous Drugs.

"1939 Draft" " Draft of the principal articles which might be embodied in a convention for limiting and controlling the cultivation of the opium poppy and the production of raw opium and controlling other raw materials used in the manufacture of opium alkaloids. (League of Nations C.175.M.104.1939.XI.)

"1946 Protocol" " Protocol of 1946 amending the Agreements, Conventions and Protocols on Narcotic Drugs, concluded at The Hague on 23 January 1912, at Geneva on 11 February 1925 and 19 February 1925 and 13 July 1931, at Bangkok on 27 November 1931 and at Geneva on 26 June 1936.

"1948 Protocol" " Protocol, signed at Paris on 19 November 1948 bringing under international control drugs outside the scope of the Convention of 13 July 1931 for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, as amended by the Protocol signed at Lake Success on 11 December 1946.

Abbreviations

CND denotes Commission on Narcotic Drugs created under resolution 9(I) of the Economic and Social Council of 16 and 18 February 1946.

ECOSOC " Economic and Social Council of the United Nations.

PCOB " The Permanent Central Opium Board created under article 19 of the 1925 Convention.

SB " The Supervisory Body created under article 5 of the 1931 Convention.

UN " United Nations.

WHO " World Health Organization

INTRODUCTORY NOTE

1. Acting on the recommendation of the CND* the ECOSOC adopted, on 3 August 1948, a resolution (No. 159(VII)IID) requesting the Secretary-General to begin work on the drafting of a new single Convention to replace all existing international instruments on narcotic drugs. (See below under Chapter I, "Terms of reference".)

In its report to the Council** the CND stated that "the above resolution represented in the opinion of the Commission the long-term programme of work for the Secretariat".

The first three studies on the unification of Conventions on Narcotic Drugs ("Scope of the Convention - Definitions", "The International Control Authority" and "Control of International Trade", documents E/CN.7/W.41, 44 and 53) have been transmitted to the members of the Commission.

2. The above-mentioned report of the CND to the ECOSOC contains the following passage:

> "Considering that the simplification of the international control machinery and the drafting of a single Convention incorporating the provisions of the existing Conventions on narcotic drugs referred to in the above-mentioned resolution, submitted by the representative of the United States, and approved by the Commission, will necessitate changes in the present system of statistical reporting by Governments to the Permanent Central Board under the 1925 Convention as well as in the estimates system established under the 1931 Convention, the Commission expressed the desire to have the views and co-operation of the Board and the Supervisory Body on this matter. The Commission would also appreciate it if these two bodies would authorize their technical staff to give such assistance to the Secretariat on these matters as might be required."***

In compliance with this request of the CND, which was communicated to them together with the above-mentioned resolution of the ECOSOC, the PCOB and the SB authorized their joint secretariat to give assistance in this matter. A memorandum on the "Unified Convention on Narcotic Drugs"**** prepared by this secretariat has been transmitted to the members

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* Report to the Economic and Social Council on the third session of the Commission, document E/799, 28 May 1948, pp. 26-27.

** Ibid. p. 28.

*** Ibid. p. 31.

**** Document E/OB/W.78 and E/DSB/W.33 of 2 March 1949.

of the CND. In the introduction to this memorandum it is stated that it "has been prepared by the Joint Secretariat of the Board and Supervisory Body on their own responsibility. It in no way reflects the views of the Board or Supervisory Body or of any members of those organs, whose opinions must be entirely reserved".

3. The present "Outline of the general principles on which a new single Convention might be based" indicates some of the main problems involved in the unification of the existing Conventions and the broadening of the scope of the international control so as to include "the limitation of the production of narcotic raw materials". Questions concerning national control, suppression of the illicit traffic and drug addiction are still under study. They will be included in an Addendum to this "Outline" and communicated to the Members of the Commission in due course.

The task of the Secretariat would be greatly facilitated if it could have the benefit of the Commission's opinion and guidance regarding the proposals submitted for their consideration in this "Outline" and instructions concerning modifications of and additions to these proposals. Thus approved by the Commission, without committing the Governments represented on it, the "Outline" would constitute a "programme of work for the Secretariat". The results of this work would be communicated to the Commission as it progresses.

I. TERMS OF REFERENCE

In the course of its seventh session the ECOSOC, acting on the recommendation of the Commission on Narcotic Drugs, adopted the following resolution*:

"The Economic and Social Council,

"Being advised by the Commission on Narcotic Drugs that the international instruments relating to the control of narcotic drugs are:

"The International Opium Convention signed at The Hague on 23 January 1912 and Protocols of Cloture signed at The Hague on 23 January 1912, 9 July 1913 and 25 June 1914, respectively, as amended by the Protocol of 11 December 1946;

"The Opium Agreement, Protocol and Final Act signed at Geneva on 11 February 1925, as amended by the Protocol of 11 December 1946;

"The Convention, Protocol and Final Act signed at Geneva on 19 February 1925, as amended by the Protocol of 11 December 1946;

"The Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, Protocol of Signature and Final Act signed at Geneva on 13 July 1931, as amended by the Protocol of 11 December 1946;

"The Opium Agreement and Final Act signed at Bangkok on 27 November 1931, as amended by the Protocol of 11 December 1946;

"The Convention for the Suppression of the Illicit Traffic in Dangerous Drugs, Protocol of Signature and Final Act, signed at Geneva on 26 June 1936, as amended by the Protocol of 11 December 1946;

"The Protocol to bring under international control drugs outside the scope of the 1931 Convention;

"Taking note of the complexity of these instruments and the desirability of simplifying the organization of international co-operation for controlling the traffic in narcotic drugs,

"Requests the Secretary-General to begin work on the drafting of a new single convention in which provision shall be made for a single body to perform all control functions, excepting those which are now or may hereafter be entrusted to the Commission on Narcotic Drugs. This single convention shall replace the above-mentioned instruments relating to narcotic drugs and also include provisions for the limitation of the production of narcotic raw materials."

Under the terms of reference laid down in the above resolution:

1. A "new single convention" shall

(a) "replace" the international "instruments relating to narcotic

drugs" enumerated in the resolution;

(b) include provisions for the limitation of the production of narcotic raw materials;

(c) make provision "for a single body to perform all control functions excepting those which are now or may hereafter be entrusted to the Commission on Narcotic Drugs";

(d) simplify "the organization of international co-operation for controlling the traffic in narcotic drugs";

2. The Secretary-General of the United Nations was requested to begin work on drafting of this convention.

In the opinion of the CND "in this new convention provisions should be made to stop any gaps now existing in the international control".*

* Document E/799, pages 26 and 27.

II. OBJECTIVES OF THE NEW CONVENTION

1. To ensure that the medical and scientific needs of the world in substances covered by this Convention are satisfied and that these substances are not produced for any other purpose.

To prevent and suppress the abuse of these substances for addiction purposes.

2. To this end, substances liable to cause socially dangerous addiction (addiction-forming drugs), whether primary natural products (e.g. opium) or manufactured drugs (e.g. morphine, cocaine, cannabis drugs, synthetic drugs), should be submitted to control with a view to universally limiting their production, distribution and consumption to medical and scientific needs.

Substances liable to cause socially dangerous addiction and which are produced to meet medical and scientific needs as well as other requirements generally recognized as legitimate (e.g. coca leaves used in the manufacture of cocaine and after cocaine has been removed, in flavouring of certain non-alcoholic beverages) should be submitted to control with a view to universally limiting their production, distribution and consumption: (i) to medical and scientific needs and (ii) to other requirements generally recognized as legitimate.

The production of addiction-forming drugs which are not used in medical therapy and are otherwise useless (e.g. "prepared opium") should be prohibited.*

Medical standards and practices not being the same in all parts of the world, the interpretation of the term "medical" might cause some difficulties. Even if some countries should deem it necessary to make reservations as to the meaning of this term, the principle of the limitation of the production, distribution and consumption of the above-mentioned drugs to medical and scientific needs should be explicitly recognized in the new Convention. This would i.a. greatly diminish the need for distinguishing definitions, simplify the terminology and provisions of the new convention, and facilitate its application.

The medical definition of "addiction" often requires physical withdrawal symptoms, as a distinction from "habituation", which implies only psychological craving. For the purpose of the new Convention and of this memorandum, the term "addiction-forming drugs" should be understood as including also harmful "habit-forming drugs", which are socially dangerous.

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* A synthetic chemical product might be discovered which, although medically useless, might be usefully employed for non-medical (e.g. industrial) purposes. If the consumption of such a product is capable of causing

III. SCOPE OF THE NEW CONVENTION

Substances to be covered by the new Convention

1. In order to simplify the new Convention, its text should not be burdened with a detailed enumeration and definitions of all the drugs to be covered.

Instead, an article should be inserted in it:

(i) containing a general statement on substances to be controlled, e.g. that they shall be addiction-forming drugs, the abuse of which is harmful and socially dangerous.

(ii) putting under control all the drugs covered by the international instruments on narcotic drugs in force at the time of adopting the new Convention, and providing that a list enumerating these drugs should be annexed to the Convention, this list to be reissued from time to time by the competent international control authority, with any necessary additions or deletions;

(iii) instituting a procedure for extending the control to drugs outside the scope of the new Convention or exempting any drugs from further control; this procedure should be an essential part of the definition of the new drugs that may be brought under the Convention; it should be carefully safeguarded to allay any apprehension that control might be extended too far.

2. In addition to addiction-forming drugs, substances not in themselves addiction-forming should be covered by the new Convention and be placed under control in so far as this is necessary to enforce control of the addiction-forming drugs.

3. Full control as distinct from a mere accounting for materials should be established only when the fundamental structure of an addiction-forming drug is present or has been created.

Procedure for extending control to new drugs

The following procedures may be considered:

1. Amendment of the Convention as a whole. Experience has proved this procedure to be cumbersome and time-consuming (e.g. Protocol on paracodine drawn up by the Opium Advisory Committee of the League of Nations). Should the new Convention contain simple provisions for its speedy amendment if and when necessary, it might be desirable to consider the possibility of applying the same or similar provisions to the extension of control to new drugs.

2. Decision by an international organ authorized to make recommendations regarding drugs to be placed under control. Only Governments which expressly accept such a recommendation would be bound thereby. This method

was adopted by the 1925 Convention and proved to be unsatisfactory.

3. Decision by an international organ authorized to place drugs under control. Such decisions should be binding upon all Governments which fail to notify within a certain period, e.g. within three months, their non-acceptance of the decision in question.

This method would be in agreement with those provisions of the Conventions now in force which require the consent of Governments to or gives them the right of rejecting a decision by express declaration (e.g. estimates under the 1931 Convention cannot be modified without the consentor established by the SB against the will of a Government, which remains the final judge of its medical and scientific needs. The recommendation of an embargo under Article 24 of the 1925 Convention may be rejected by a Government which informs the PCOB to this effect*).

This method, which follows the procedure established under Article 21 of the Constitution of the World Health Organization, seems to offer the following advantages:

(i) Governments may not object to a broad general definition of addiction-forming drugs which may be placed under international control by a decision of an international organ if they are granted the right to reject such a decision.

(ii) The difficulties of defining new drugs by reference to the harmful effects of other drugs under control could be avoided. The international organ would be in a position to examine and determine the properties of each drug in the light of the most recent scientific research and experience.

There seems to be no difficulty in incorporating such a provision in the new Convention from the point of view of national constitutions.*

If this procedure is adopted it would be essential to stipulate that an amendment brought about by this procedure should come into force and be universally applied as soon as it is accepted, i.e. not expressly rejected, by, for example, twenty-five countries including a certain number of the more important producing and manufacturing countries to be named in the Convention.

4. Decision by an international organ authorized to place drugs under

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* Article 24 (4) of the 1925 Convention.

* This method of international legislation by decision of an international organ with the right of a national Government to reject such a decision by an express declaration may also be adopted for other amendments to the Convention as a whole. Such a procedure of rapid adjustment to changing conditions may, in certain periods, obviate the necessity and the expense of special international conferences for the settlement of problems susceptible of solution by a more economical procedure.

control with an immediately binding effect on Parties to the Convention, i.e. without their consent. This method would follow the technique adopted by the 1931 Convention and the 1948 Protocol.

If this procedure is adopted it will be necessary to define the drugs or group of drugs which may be placed under control by reference to

(a) Their addiction-forming liabilities; similarity of their ill-effects to drugs under control;

(b) Their chemical structure (e.g. phenanthrene alkaloids of opium, ecgonine alkaloids of the coca leaf, &c.);

and probably also to

(c) Their convertibility into dangerous drugs.

Exemption from control

A general clause could be inserted in the Convention conferring upon the international control organ mentioned under 2 to 4 of the preceding paragraph the power of revising the list of drugs and preparations annexed to the Convention with a view to exempting from control drugs and preparations which, in the light of further experience, proved to be not addiction-forming.

Prohibition

At the Limitation Conference of 1931 a proposal was moved to abolish the use of heroin completely. As a compromise, Article 10 was inserted in the 1931 Convention stipulating that "Contracting Parties shall prohibit the export ... of diacetylmorphine". This export was, however, authorized in the same Article under a special and most stringent regime. The controversy as to the therapeutic value of diacetylmorphine is not yet closed.

The medical usefulness of cannabis preparations is also seriously disputed.

The question arises whether the new Convention should provide for the prohibition of addiction-forming drugs which are particularly dangerous, the medical value of which is disputed and which can be adequately replaced by less dangerous drugs.

If this principle is adopted, a decision will have to be taken whether the prohibition of the manufacture and use of a particular drug or drugs should be stipulated in the new Convention or whether it should provide for a procedure by which, in the light of further experience, the manufacture and use of such drugs can be prohibited without resorting to an international conference or to a separate instrument to be signed or accepted by the Parties to the new Convention.

Preparation

The creation under the 1925 and 1931 Conventions of numerous different classes of preparations complicated national and international controls.

In order to simplify this aspect of control the new Convention should

(i) Stipulate that the compounding of all preparations containing addiction-forming drugs should be put under control and accounted for, and

(ii) Distinguish two kinds of these preparations: those subject to further control, and those exempted from further control when once made, according to their addiction liability.

In the most general control provisions, preparations may be treated either as included in the term "drugs", or as being made from the drugs already accounted for under the limitation scheme. These two methods are not necessarily as far apart as they may seem. They may be presented as follows:

Alternative A

The "drugs" or "substances" of the Convention shall in principle include their preparations.

(1) The list of substances under control will include as a final item "All preparations of these substances except those specifically exempted".

(2) In general clauses it will only be necessary to refer to "the substances under control" or "the substances of Article ..". This will be understood to include preparations.

(3) "Preparations" will be mentioned for the specific exemptions.

Alternative B

The term "drugs" or "substances" of the Convention shall not include their preparations.

(1) The list of substances under control will not include any preparatio

(2) In general control clauses it will be necessary to refer to "the substances under control and their non-exempt preparations", or "the substances of Article .. and their non-exempt preparations", or the like.

(3) A system of dividing preparations into the exempt and the non-exempt will be required.

In either case further provisions may be necessary. If one of these alternatives is accepted and carried out consistently the complications of the present control system will be avoided.

IV. LIMITATION OF PRODUCTION* TO MEDICAL AND SCIENTIFIC WORLD REQUIREMENTS

Method of determining these requirements and Principle of the Universal System of Estimates

The limitation of world production of addiction-forming drugs to medical and scientific world requirements pre-supposes that these requirements are known and stated for each country and territory of the world as a whole. The method for determining these requirements should be based as in the 1931 Convention on estimates furnished by governments and, for States parties and non-parties to the new Convention which do not furnish them, on estimates established by the International Control Authority (principle of the universal system of estimates). Every estimate furnished or established should be based exclusively on medical and scientific requirements of the country or territory concerned.

1. Primary natural products ("Raw Materials")

A. Opium

Method of determining production and exports

In addition to providing a basis for determining the medical and scientific world requirements of opium, the estimate system should make it possible to determine each year:

(i) the quantity of opium which each producing country shall produce for export and its domestic requirements (including replenishment of stocks);

(ii) the total world production of opium;

(iii) the amount to be allocated to each producing country for export; and

(iv) the total amount of raw opium required for export by all producing countries together.

The amount of opium which each producing country shall be authorized to produce can be established only if, in addition to its domestic requirements and the amounts needed for replenishing stocks, the amount of opium which that country will have to export within a given year is known sufficiently in advance of the sowing period.

The 1939 Draft Convention proposed two alternative systems for allocating the amounts to be exported:

(i) the Free Order system, and

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* For the purpose of this memorandum the term "production" shall denote both production of primary natural products ("raw materials") and the manufacture of drugs.

/(ii) the Quota

(ii) the Quota system.

Allocation of annual exports under the Free Order system.

Under this system, the amount to be exported by the producing country during any one year should be the total of:

(i) the amounts which importing countries have themselves indicated in their annual estimates as to be obtained from that producing country; and of

(ii) the quantities allocated to that producing country for export by the International Control Authority on estimates it may have been called on to establish itself.

Under this system, the task of the International Control Authority would be limited to the establishment of export totals for each producing country, based on the indications contained in the estimates from importing countries.

Exports under the Quota system.

To establish the quantity which each producing country shall export during a given year under the Quota system, the International Control Authority must first calculate the amount of opium to be exported during the following year by producing countries in the aggregate. For any given year this quantity shall be:

(i) the sum of the totals of the initial estimates, furnished by governments or established by the International Control Authority for all countries and territories importing their opium requirements direct from producing countries, plus

(ii) any amounts which importing countries may have indicated in their initial estimates as required for re-export.

Having established this aggregate quantity, the International Control Authority will allocate it among producing countries according to a scale of percentages shown in the Annex of the Convention. The quantity which a producing country may be entitled to export in accordance with the percentage shown in the Annex may, however, exceed or be below the total demand from importing countries wishing to obtain opium from that particular producing country. In order to ensure an equitable distribution among producing and consuming countries of the quantities available for export, the 1939 Draft Convention provided a machinery of

adjustment.* In order to prevent excessive sub-division of requirements of a given importing country, the 1939 Draft Convention invested the International Control Authority with the discretionary power to reduce as far as possible the number of supplying countries.

Adjustments required on account of the supplementary estimates

Any importing country may obtain opium on supplementary estimates from the country of its choice. Under the Quota system, subsequent adjustments would be made among producing countries by the International Control Authority.

Allocation of annual Production

The total amount of opium to be produced by each producing country in any given year should be allocated to it by the International Control Authority and consist of:

(i) the amount to be exported in that year,

(ii) the amount needed for its domestic requirements during that year,

(iii) the amount required to replenish the stocks, to offset the possible deficiencies in output or depletion on account of exports on supplementary estimates, and to bring it up to a level consistent with the normal trade requirements.

Appraisal by the Opium Advisory Committee of the League of Nations of the alternative systems of Allocating exportation

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* This machinery of adjustment would work as follows: the total amount of opium to be exported by a producing country during a given year under the quota system is supposed to be 120 tons. The total demand for opium from that country for the same year might, according to the order of preference indicated by importing countries in their estimates, be less than, equal to, or exceed this amount. In case it is less than, or equal to, 120 tons, the International Control Authority would allocate to the producing country in question, for export to each of the importing countries concerned, the amount indicated in their estimates. If the total demand from importing countries indicated in their estimates as their first preferences exceeded 120 tons, the International Control Authority would allocate to each importing country the proportionate share of the amount available. Should, e.g., three importing countries wish to obtain from the producing country, the first, 75 tons, the second, 50 tons, and the third, 25 tons (i.e. 150 tons in all), they would only obtain a proportionate share, viz. 1/2, 1/3 and 1/6 respectively of the 120 tons available, i.e. 60 tons, 40 tons and 20 tons, and the surplus of 30 tons would be allocated according to the second preferences among those producing countries which did not obtain the whole of their export quotas from the first preferences. Allocation by preference would be continued until all demand had been satisfied.

/In its report

In its report on the Limitation of Opium Production*, the Opium Advisory Committee of the League of Nations noted that the representatives of certain countries producing and exporting opium expressed themselves in favour of the Quota System while certain importing countries were in favour of the Free Order System. The arguments put forward in favour of one or the other system were summed up in this report as follows:

> "The quota system is more likely to ensure the stability of agricultural production and to guarantee to producing countries a part of the market in return for the sacrifice entailed by limitation; it should also enable prices to be regulated more satisfactorily.
>
> The advantage of the free order system is that it leaves freedom of choice to consuming countries and maintains the free play of commercial competition. Certain producing countries raised the objection that the operation of the free order system may completely eliminate a producing country from the market, which is contrary to the principle of equality of sacrifices.
>
> The quota system, by providing for an order of preference in the matter of orders, endeavours to respect as far as possible the free choice of consumers.
>
> The machinery for the allocation or orders in the order of preference specified by consuming countries.....should not give rise to any difficulties. In this connection, it was suggested that the matter might be simplified by setting up an international selling office....It was understood that, if the quota system was adopted, an annex to the convention should contain indications as to the method of establishing quotas, the amount of those quotas and provisions for their revision."

Agreement on a system of allocating exports

The Commission on Narcotic Drugs might desire to discuss and express an opinion on the above alternative systems of allocating exports. It might find it advisable to formulate proposals concerning measures to be taken or arrangements made between this and the next session of the Commission with a view to arriving at an agreement in regard to the system of allocating exports (e.g., consultations between the producing-exporting countries, or between the producing-exporting countries on the one hand and the important consuming countries on the other hand).

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* Document C.175.M.104.1939.XI, pp. 3 and 4.

Other measures essential to ensure limitation of production

Undertakings by importing countries

The 1939 Draft Convention contains an article stipulating that the Governments of countries importing opium undertake to purchase and import in a given year the quantity of raw opium indicated in its estimates for that year (binding estimates).

Another undertaking to be entered into by the importing countries is not to import opium from countries not parties to the Convention.

Undertakings by producing countries

These countries should undertake:

to produce annually no more than the quantity allocated to each of them for production;

to export annually no more than the quantity allotted to each of them for export;

to supply each year to each importing country a fixed quantity of opium of a certain quality;

to establish and maintain under the surveillance of the International Control Authority a stock which should enable them to meet under all circumstances the demands for their opium in accordance with the provisions of the Convention;

to establish and operate a State monopoly covering all operations connected with the production and export of opium, ranging from granting licenses to growers to final transactions connected with the distribution of opium both within the country and internationally and the maintenance of stocks.

Undertakings by all Parties to the new Convention

They should undertake to apply in their international trade regulati a strict system of import certificates and export authorizations without allowing for any of the exceptions granted under Article 18 of the 1925 Convention.

International clearing house

It would greatly simplify and strengthen the control if the International Control Authority could be vested with the authority of approving import certificates prior to the granting of an export authorization by the exporting country.*

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* For further details concerning the working of such a scheme, see Study on the "Control of International Trade" (document E/CN.7/W.53), pp. 22-25 and the memorandum of the Joint Secretariat of the PCOB and the S (documents E/OB/W.78 and E/DSB/W.33, pp. 19 to 21).

International purchasing and selling agency

The Commission on Narcotic Drugs might also desire to examine the possibilities of simplifying the International Control machinery by establishing an international purchasing and selling agency /International Opium Monopoly (see below Section 3)7.

B. Poppy plant material

Poppy plant material ("poppy straw" or "poppy chaff") is used in the manufacture of opium alkaloids, mainly morphine.* The question arises whether this material should be subject to limitation or to certain forms of control or both.

During the discussions of the 1939 Draft in the Opium Advisory Committee of the League of Nations proposals were made that, in order to control the production of poppy plant material, poppy cultivated for other purposes than for the production of opium might be subject to licensing; the Committee, on the whole, was, however, not in favour of any limitation or control up to the moment when the poppy plant became a raw material for the extraction of opium alkaloids, i.e., if and when it was the object of commercial transactions. The Commission might desire to consider this question at the present session and decide whether a similar or alternative schemes outlining restrictive and control measures to be applied to the poppy plant material should be drawn up by the Secretariat. Different measures might have to be examined in this scheme or schemes for the following groups of countries:

(i) countries which do not authorize the production of opium and the manufacture of opium alkaloids from the poppy plant material. These countries should, e.g. undertake not to export poppy plant material or poppy seeds to countries which prohibit their import. This should be a general obligation binding all countries which authorize the cultivation of the opium poppy for whatever purposes.

(ii) countries which do not authorize the production of opium but permit the manufacture of opium alkaloids from poppy plant material.

(iii) countries which authorize the production of opium but do not

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* In 1946 and/or 1947 the following countries used poppy plant material in the manufacture of morphine: Germany (according to information concerning the American, British and French Zones), Argentina, Australia, France, Hungary, the Netherlands, Switzerland and Czechoslovakia. No information is available with regard to Poland, which before the last world war manufactured morphine from poppy

permit the use of poppy plant material in the manufacture of opium alkaloids or for export.

(iv) countries which authorize the cultivation of the opium poppy for the production of opium and poppy plant material for the manufacture of opium alkaloids and/or for export.

In this connexion, special consideration should be given to countries which are not in a position to prevent effectively the flow of opium produced in their territories into illicit channels except by prohibiting all cultivation of the opium poppy.

C. Coca leaves

General Considerations

1. The object of any plan for the limitation of production of coca leaves would be to ensure:

(i) that the medical and scientific needs, as well as the other requirements in coca leaves generally recognized as legitimate are satisfied, and

(ii) that coca leaves are not cultivated for any other purpose.

At present the coca shrub is cultivated and coca leaves harvested for:

(i) use in the manufacture of cocaine,

(ii) use, after extraction of cocaine, in the flavouring of certain non-alcoholic beverages, and

(iii) chewing purposes.

There is no controversy as to the nature of the uses mentioned under (i) and (ii). Divergence of opinion, however, persists as to the effects of chewing coca leaves and their use for this purpose is not generally recognized as legitimate.*

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* See document E/CN.7/W.34. It might be appropriate to quote in this context the report of the joint Bolivian-United States Commission which examined labour conditions in Bolivia under the auspices of the International Labour Office:

" International Labour Office

Labour Problems in Bolivia
Report of the Joint Bolivian United States Labour Commission 1943 - Extract - page 40

.....

There is much controversy as to whether the coca-chewing habit is the cause or the effect of improper nutrition - whether the worker chews coca to appease his hunger or whether the chewing of coca destroys his appetite. No study has ever been made to determine how deleterious to health this practice is. It appears clear to the Commission that this question has many ramifications that require study. It constitutes not only a physiological but a psychological problem. Moreover, the large acreage now devoted to the cultivation of coca makes it an economic problem as well. Until such time as an authoritative study is made of the effects of coca-chewing, no recommendation can be made with

2. It should be pointed out that the existing system of international control of the production of and the trade in coca leaves is considerably looser than that which exists for opium. Thus, for instance, the important provisions of Article 2 of the 1925 Convention by which the contracting parties undertook to enact laws and regulations to ensure the effective control of the production, distribution and export of opium, do not apply to coca leaves.

3. Of the producing countries Peru is not a party to the 1925 Convention and Bolivia became a party to this Convention with the following reservation:

"Bolivia does not undertake to restrict cultivation of coca or to prohibit the use of coca leaves by the native population."

Method for determining production and export

As in the case of opium, the limitation of the production of coca leaves pre-supposes the knowledge of the requirements to which this production has to be limited. The method of calculating these requirements and determining the production and exports suggested above for opium (III. 1, A) can be adapted to the scheme for the limitation of the production of coca leaves.

For opium two alternative systems for allocating the amount to be exported were proposed, viz. the free order system and the quota system. Considering that in the case of the coca leaves the available statistics show that there have been in the past considerable fluctuations in the demands of individual consuming countries, it might be desirable to examine the possibility of combining these two systems in order to meet this situation. The combined system would work on the following lines: to the extent in which the governments of importing countries indicate the countries from which they intend to obtain the quantities of coca leaves required, the free order system would apply. If there should remain any amounts of coca leaves in regard to which no indication had been given as to the source of supply, such quantities (free amounts) would be allotted to the producing countries concerned under a quota system.

Measures to ensure limitation

The measures referred to above, under 1.A. "Opium" (pages 18, 19.) as essential to ensure the limitation of production of opium can be adapted to a plan for the limitation of the production of coca leaves.

Special attention is called to the necessity of establishing and operating State monopolies covering all operations connected with the production and export of coca leaves. This would be the most effective method of implementing the national control. The Commission on

Narcotic Drugs might desire to express an opinion on this question and to invite governments of the countries concerned to express their views on this matter.

It would be also desirable to find out in due course whether the governments concerned are prepared to introduce legislation with a view to limiting the production of coca leaves to needs considered legitimate under the new Convention.

The Commission of Study which is expected to leave before the end of this year for Peru to investigate on the spot the effects of chewing the coca leaf and the possibilities of limiting its production and controlling its distribution,* will submit in due course a report which will have to be taken into consideration when drafting the provision concerning coca leaves for the new convention.

The Government of Bolivia requested that the Commission of Study extend its investigations to that country.**

D. Cannabis (hemp plant)

The hemp plant is industrially very important and its cultivation wide-spread not on account of its physiologically active resin, but because of its fibres and oil-bearing seeds. This renders its effective control even more difficult than the control of the poppy plant.

The therapeutic value of cannabis drugs is not generally recognized. Should it be possible, before the Conference for the adoption of a new single convention meets, to reach a general agreement that less dangerous substances could be substituted in medical therapy for cannabis drugs and that their production could be, therefore, discontinued, the new convention should contain a clause prohibiting:

(i) the cultivation of the hemp plant for the production of the resi
(ii) the removal from the field and/or possession of any part of the hemp plant which can be used only for the production of the resin, and
(iii) all extraction of or trade in the resin. An exception could be made for the production of small amounts of resin for scientific purposes. This production should be subject to stringent control and the resin so produced put at the disposal o government-controlled scientific institutions. Some provision could be made for again permitting the production of resin for purely medical needs, in case scientific experiments should

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* ECOSOC resolution 159 (VII) IV of 10 August 1948.
** Document E/CN.7/164/Add.1.

/establish its

establish its value either when used as such or as a raw material for synthetic drugs.

Even if no agreement is reached concerning the suppression of the use of cannabis drugs and consequently of the production of resin for the manufacture of these drugs, the principle of a general prohibition might still be maintained, and production be allowed only to government monopolies in countries which wish to produce for medical and scientific needs. This exceptional control would be justified, since only small amounts of cannabis drugs are needed for medical purposes and any other adequate control is extremely difficult, considering the wide-spread cultivation of hemp for other purposes. - In any case, the production of the hemp plant for production of the resin, the removal from the field of parts of the plant used for the resin, the extraction as well as domestic and international trade in the resin or parts of the plant bearing the resin, should be subject to strict control.

The requirements of the resin for medical and scientific needs should be ascertained by estimates to be furnished by Governments authorizing its production. Countries authorizing its production should undertake to limit this production to medical and scientific needs.

Export of cannabis drugs as well as their production should be subject to control measures which will apply to manufactured drugs in general.

The future use of crude cannabis drugs in advanced medicine depends first on the possibility of establishing a method of chemically standardizing these drugs in terms of the active principle. When this can be done it is possible that some definite uses could be established.

Synthetic cannabis or cannabis-like drugs have already been made but it is still too early to say what their medicinal value may be. They are of two kinds: those made from natural but relatively inactive constituents of cannabis resin, and those made by chemical synthesis in complete independence of the Cannabis plant. If the latter kind can be made as cheaply as the former, then even if medical uses for cannabis-like drugs are developed, the drugs can be made synthetically, and it will still be possible to prohibit completely the cultivation of <u>cannabis sativa</u> for its resin.

2. <u>Manufactured drugs</u>

The present control system is based on the following principles:

(1) Limitation of manufacture to medical and scientific needs established by estimates furnished by Governments or framed by the SB.;

(2) Examination and critical appraisal of estimates furnished by Governments and, if necessary, modification of these estimates with

(3) Statistical control by the PCOB;

(4) Transmission by Parties to the existing Conventions of information other than statistical data concerning the manufacture of narcotic drugs (annual reports, laws and regulations, seizure reports, names and addresses of manufacturers, place of manufacture, beginning and discontinuation of manufacture, names of narcotic drugs manufactured);

(5) Corrective measures in case of certain violations of Treaty obligations (Article 14 (3) of the 1931 Convention, Article 24 of the 1925 Convention);

(6) Domestic Control (licensing) of persons engaged in the manufacture, premises where manufacture takes place, amounts and kinds of drugs manufactured and supervision of other conditions under which this manufacture is authorized.

In the past various other control measures had been proposed such as;

(a) Establishing of an international drug factory (world monopoly of the manufacture of narcotic drugs);

(b) Establishing of national monopolies of the manufacture of drugs;

(c) Allocation of manufacturing quotas; price control of manufactured drugs;

Although experience has disclosed certain weaknesses in the international control of manufactured drugs, on the whole this system worked fairly well.

It needs, however, simplification and strengthening in regard to the operation of the estimates system and embargo provisions of the 1931 Convention which, at present, are inoperative in the fourth quarter of each year.

It requires also clarification of the obligation of Parties to the 1931 Convention to keep their manufacture and imports within the limits of the estimates.

With regard to imports it should be pointed out that the 1931 Convention (Article 12) establishes the obligation of an importing country to keep its imports within the limits of the estimates. A corresponding obligation of the exporting countries not to permit the export of drugs to an importing country in excess of the latter's estimates should be expressly established under the new Convention.

Considering that under the Conventions now in force a country which manufactures all drugs it requires cannot, in practice, be subject to all corrective measures (e.g. embargo) which are applicable to other countries, the Commission may desire to examine this question and propose that

provisions eliminating this inequality of treatment be included in the new Convention (e.g. an undertaking by the Parties to the new Convention to discontinue imports of drugs from a manufacturing country which violates the provisions of the Convention limiting the manufacture to medical and scientific needs).

Certain technical aspects of the simplification of estimates to be furnished by Governments are discussed in the Memorandum of the Joint Secretariats of the PCOB and the SB.*

The above-mentioned International Clearing House system ** should also apply to manufactured drugs.

3. International Purchasing and Selling Agency

A summary of the basic ideas on allocation of production and exports to countries producing primary natural products contained in the 1939 draft on opium was given in Section 1. "A. Opium" above. The schemes proposed in the 1939 draft are complicated and their workability not yet tested by experience.

Economic conditions are subject to continuous changes. Any economic arrangement dealing with such problems as production, import and export quotas and prices will require continuous and permanent readjustments based on the consent of the participating countries.

It should therefore be considered whether in view of the changed and changing conditions the following scheme could not be substituted for some of the features of the 1939 Draft.

(1) The new Convention should provide for some machinery to negotiate among producing and consuming countries, periodically, e.g., for periods from three to five years, agreements on the production and delivery conditions of raw opium, coca leaves and, if found medically useful, of the hemp resin, in their respective countries. This periodical agreement should be approved by an international control organ.

(2) Producing countries should undertake to supply and consuming countries to take over the substances and qualities under conditions as agreed.

(3) Participating countries should agree not to import or export outside the scheme provided by the Agreement.

(4) Opium poppy, coca leaf and Indian hemp would be subject to the estimate system. The furnishing of annual estimates would enable the future administrative authority to judge, e.g., whether the area

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* Document E/OB/W.78.

** See page 18 above.

grown is too large for the execution of the export transactions required by the agreement.

(5) The import certificate and export authorization system, preferably in conjunction with the International Clearing House system, would apply not only to manufactured drugs but also to opium, coca leaves and hemp resin. This would also assist domestic control organs in preventing the flow of narcotic substances into illicit channels during the process of exportation or importation.

(6) The establishment of an international purchasing and selling agency, subject to the supervision by the future administrative authority, would likewise simplify, facilitate and strengthen the control. The participating countries would buy from or supply to this office. All international transactions in opium, coca leaves and hemp resin would then pass through this agency. The agency could, by maintaining stocks, free the producing countries from the necessity of maintaining regulating or emergency stocks; it could also, perhaps, on the security of these stocks, obtain commercial credits for advancing money to the exporting countries. The stocks need not necessarily be in the immediate possession of the agency: they could be kept in safe storage in the country of origin until they are actually supplied to the importing countries. The costs of the sales office could be easily recouped from a small cess on its sales.

(7) The import certificate and export authorization system, having been generally adopted by national legislation, the periodical agreements would, in general, not entail complicated constitutional procedure. Governments could execute agreements by refusal to grant, e.g., import certificates for transactions not provided for by the agreement.

(8) This Inter-governmental Administrative Agreement, if concluded would, after the entry into force of the new single Convention, either be embodied in the Convention or the parties thereto could undertake to re-negotiate it periodically under terms laid down in the Convention.

V. INTERNATIONAL CONTROL

Questions concerning the international control of addiction-forming drugs in general and of the international trade in them in particular, to be instituted under the new single Convention, including the powers, functions and composition of the future international control organs, were discussed in detail in the studies on "The International Control Authority" (document E/CN.7/W.44) and the "Control of International Trade" (document E/CN.7/W.53). The present outline will confine itself, therefore, to a few more important aspects of the international control.

1. International Control Organs

(a) The resolution of the Economic and Social Council [No. 159 (VII) II, D] on the "Simplification of the Existing International Instruments on Narcotic Drugs" states that in the new single Convention "provision shall be made for a single body to perform all control functions excepting those which are now or may hereafter be entrusted to the Commission on Narcotic Drugs." This resolution maintains thus the traditional division of functions between a policy-making body (CND) on the one hand and an administrative body with semi-judicial functions which should replace the PCOB and the SB on the other hand.

It is proposed accordingly that under the new single Convention two organs should be entrusted with the international control of addiction-forming drugs:

(i) an organ entrusted with policy functions and such legislative functions as the new Convention may confer on it. It could be briefly referred to as the "policy-making body"; its functions should be assigned to the CND.

(ii) an organ entrusted with functions of a semi-judicial and administrative nature which could be referred to briefly as the "semi-judicial" or "administrative body". This body should replace the PCOB and the SB.

Although no perfect and clear-cut division of the jurisdiction and functions of these two bodies is possible, the above designations, adopted for the purpose of convenience, are, in a general sense, correct.

Ad (i). The policy-making body should have the function of discussing and formulating general principles relating to control of addiction-forming drugs, proposing measures and making requests of a legally binding character concerning all contracting parties and in certain cases non-parties as well. This organ should, e.g., have the right to propose or the powers to decide on the nature and form of information to be supplied to it by

Parties to the new Convention, upon enlarging or restricting the scope of the control, the power of determining the kind of control regime under which a given drug should fall and to propose or to decide in accordance with the provisions of the new Convention other changes of the Convention. It should have the function of addressing requests and recommendations which have no legally binding character and which may be addressed to single Governments or to all contracting parties or to all Governments in general.

Under such broad terms of reference as the ones under which the Commission is now functioning, it should assist the Economic and Social Council in supervising the application of the new Convention and advise the Economic and Social Council, or in certain cases the parties to the Convention through the Council or directly, on all matters pertaining to the control of narcotic drugs (e.g. the preparation for the guidance of all Governments of a "model administrative code" or of an authoritative commentary on the Convention, etc.). In these functions is implied the function of reviewing critically the functioning and practices of national administrations. Such criticism need not necessarily be based on the provisions of the new Convention, which cannot anticipate all possible governmental actions or omissions that may be contrary to the spirit of the Convention and increase the dangers which the Convention will be called upon to prevent or to suppress.

Although the policy-making body cannot, in the strict sense of the word, determine policy and legislate, it should be able, as in the past, to perform important functions in the process of policy-making and international legislation. In practice these functions may amount to and have the effect of policy-making and legislation although the decisions of the policy-making body might need, in most cases, in order to become binding, the consent of the Parties to the new Convention.

The functions referred to above should properly fall within the jurisdiction of an organ composed of Government representatives such as the present CND.

The ECOSOC and the General Assembly of the United Nations should continue to exercise their present functions as supreme policy-making organs within the field of the international control of addiction-forming drugs.

The policy-making body, as now the CND, will have to perform a few functions which may be termed administrative or executive, such as drawing up the form of annual reports, seizure reports, etc.

/Ad (ii).

Ad (ii). The administrative body should have the power of making legally binding decision concerning single Governments, e.g. approving of estimates, initiating and carrying out of enforcement measures (embargo, boycott), approving of import certificates if the proposal of an international clearing house system is adopted, making inquiries and requests for action in the course of examining estimates as well as in the course of an enforcement procedure. It should be considered whether the administrative body should not be expressly given the power to use with regard to single Governments more lenient sanctions than those provided under the 1925 and 1931 Conventions, e.g. a formal censure or the threat of an embargo or boycott, etc.

This organ should have also the power to frame estimates for countries which do not furnish them whether they are or are not parties to the Convention; to change estimates furnished by Governments under conditions laid down in the Convention; to decide on exports to and imports from non-Parties to the new Convention.

This organ will presumably have the duty, as the PCOB has now, of continuously watching the course of international trade in addiction-forming drugs. This duty and other functions connected with it such as the preparing of annual reports, statements, the drawing up of estimates forms, the receiving of statistical and other information, may be considered as administrative functions.

The new Convention may entrust the administrative body also with certain limited semi-economic functions such as the establishment on the basis of estimates furnished by Governments of production and export quotas of opium- and coca-leaf-producing countries.

(b) A further distinction between the policy-making body on the one hand and the administrative body on the other hand is their respective composition.

As mentioned above the policy-making body should be composed of Government representatives.

The members of the administrative body should be independent in the exercise of their functions as members of this body and therefore should not hold any office which puts them in a position of direct dependence on their Governments.*

2. Secretariat

The Secretariat of the CND is provided by the Secretary-General of the United Nations.

The Secretariat of the PCOB is constituted in accordance with the provisions of Article 20 of the 1925 Convention under which the staff of the Board is appointed by the Secretary-General upon the nomination of the Board

* See in this connexion the opinion expressed on this question by the CND and

and subject to the approval of the Economic and Social Council.

The Secretariat of the SB, under Article 5, paragraph 6, of the 1931 Convention, is provided by the Secretary-General of the United Nations.

Although in law the Secretariats of the PCOB and the SB are two separate entities and their staff is appointed in accordance with two different procedures; in fact, since the United Nations undertook the responsibility for ensuring the continuity of the work of the PCOB and the SB, their respective Secretariats were, with the consent of the PCOB, the SB and the Secretary-General, combined into a joint Secretariat serving the two bodies.

In order to simplify the international machinery of control the CND might examine whether it is desirable that, as in the case of the SB under the 1931 Convention and the CND, the Secretariat of the policy-making body and the administrative body under the new Convention, should be provided by the Secretary-General of the United Nations.

The simplification which would result from having a single Secretariat serving the two bodies has been mentioned in the document on "The International Control Authority" (E/CN.7/W.44).

If the proposals under 1 and 2 above are adopted, there would be under the new single Convention two control organs and one Secretariat instead of the three control organs and two Secretariats functioning at present.

3. General authorization to determine the details of information to be furnished by Governments to international control organs

The present Conventions follow two methods in defining the information which Governments are required to furnish to international authorities:

(1) Detailed enumeration of the subjects on which, the periods for which, and sometimes the dates at which, information is required.

(2) Entrusting international organs with authority to determine details of the information Governments are requested to furnish (e.g. the CND has authority to prescribe the form of annual reports and the PCOB to prescribe the form of estimates).

The method of enumeration has led to difficulties in the practical application of the Conventions; in one case it was found necessary to resort to the complicated and time-consuming procedure of amending a Convention.* The texts of the 1925 and 1931 Conventions were burdened with details of this

* 1 November of each year for issuance by the Supervisory Body of the Annual Statement of World Estimates had to be changed by amendment to 15 December; see also Memorandum of the Joint Secretariat of the PCOB and the SB (E/OB/W.78; E/DSB/W.33, pages 13, 14).

/nature

nature. On the other hand it cannot be said that the task of national Governments was made easier by this enumeration. The information they were requested to supply was in practice very often not limited to the details prescribed by the treaty provisions (e.g. special circular letters and questionnaires sent out by the League of Nations and the United Nations). It is very difficult to anticipate and enumerate in detail the kind of data which will be indispensable to international organs in the performance of their functions under the new Convention a decade or two from now.

It should be mentioned in this connexion that had the PCOB and the SB had the general authority, as the CND has under Article 21 of the 1931 Convention with regard to the form of annual reports, to decide what kind of information they require to fulfil their functions under the 1925 and 1931 Conventions, the number of the statistical questionnaires they issue would be more limited than at present and their form and content would be much simpler.*

It is proposed that international control organs set up under the new Convention be authorized to determine the details of information [including statistics and estimates] as well as the periods for which and the dates at which information is required, provided that the information requested is necessary for the performance of their functions under the Convention. They should also be authorized to establish, for the use of Governments, forms indicating the kind of information which they have to furnish.

Precedents for such authority in the field of control of drugs have been established under the existing Conventions.** They are not uncommon in other fields of international administration, e.g. Article 88 of the Charter regarding the right of the Trusteeship Council to draw up a questionnaire; Article 39(5) regarding the duty of members of the International Trade Organization to make available to the Organization, at its request, "such other statistical information as the Organization may deem necessary to enable it to fulfil its functions"; Article 17 of the Rubber Regulation Agreement by which each participating administration undertook to furnish to the International Rubber Regulation Committee ". . . annual reports on the working of the Regulation . . . and all necessary statistical information".

* See Document E/OB/W.78 and E/DSB/W.33

** Form of Annual Report: Article 21 of the 1931 Convention. Form of Estimates: Article 5(1) of the same Convention.

4. Advance information on and authorization of exports and imports

The present control system requires that, under certain conditions, advance information be forwarded to the PCCB by Parties to the 1931 Convention regarding individual exports of drugs of Group I of the 1931 Convention to countries or territories to which neither this Convention nor the 1925 Convention applies.

This principle should be amplified and generalized. To simplify the control machinery (eliminate quarterly trade statistics and embargoes on trade due to excessive imports) the new Convention should vest in an international organ the authority to examine and approve import certificates issued by the authorities of the country importing drugs before authorization to export these drugs is given by the authorities of the exporting country (International Clearing-House system).

5. Information (summary and detailed) on the illicit traffic

The existing obligations to supply such information should be retained. The Commission might desire to express an opinion on whether the information supplied by Governments on the illicit traffic should be limited to cases "which may be of importance either because of the quantities involved or because of the light thrown on the sources from which drugs are obtained for the illicit traffic or the methods employed by illicit traffickers" (Article 23 of the 1931 Convention); or should be extended to other cases.*

Many minor cases relating to the confiscation of small amounts in the possession of drug peddlers or addicts may, as single cases, have no international importance. If summary information on such cases is considered on the whole sufficient, the international control organ should be in a position to request additional information if necessary.

The same information regarding illicit traffic may be needed by the two control bodies:

(a) by the administrative (semi-judicial) body to initiate, if necessary, an enforcement procedure in accordance with the provisions of the Convention, and

(b) by the policy-making body, i.e., the CND, to enable it to exercise its functions of general supervision and critical review of the national and internaticnal trends of illicit traffic.

The functions of these two organs with regard to the repression of the illicit traffic often complement each other. Enforcement measures are not

* Article 22(1)(e) of the 1925 Convention does not limit the duty to supply

always advisable. In such cases public discussion by the policy-making body has often brought about the desired result. Such measures have to be used sometimes in addition to whatever measures a semi-judicial organ may decide to take to counter a breach of the Convention.

6. Information to be supplied by non-Parties in the course of enforcement procedure undertaken by the administrative (semi-judicial) body.

The new Convention, following the existing system, may authorize the semi-judicial organ to request States non-Parties to furnish information which it may require in order to decide whether certain provisions of the Convention (e.g. those concerning the working of the estimate system) have been violated and what corrective measures have to be taken.

7. General information on the working of the Convention (Annual Report)

The new Convention should expressly establish the obligation of Contracting Parties to transmit an annual report on the working of the Convention in their territories. Such an obligation exists under Article 21 of the 1931 Convention. This would emphasize the importance the Commission attaches to annual reports although the general authority of the international control organs to request information, if accepted, may be considered as including the right to request that Governments transmit the annual reports in question.

8. Information on laws and regulations

Under the existing Conventions each Party undertook to communicate to the Secretary-General for transmission to other Parties all laws and regulations promulgated to give effect to these Conventions (Articles 21 of the 1912 Convention, 30 of the 1925 Convention and 21 of the 1931 Convention). A clause to this effect should be inserted in the new Convention.

9. Other information

(i) Information concerning names and addresses of manufacturers, location of factories, the beginning or discontinuation of the manufacture of or trade in a particular drug or drugs, etc. (article 20 of the 1931 Convention) has proved its practical value and should be supplied by Governments under the new convention. It might be desirable to include in this information the names and addresses of wholesalers, importers and exporters.

(ii) Information concerning names and addresses of national authorities in charge of granting import certificates and export authorizations proved very important under the existing control system and should be essential for the proper functioning of an International Clearing-House

system if such system is adopted.

A general authority conferred upon the competent international control organ to request Governments to supply information would include the right to ask for information mentioned under (i) and (ii) above. In view of the importance of this information for the proper functioning of international and national control, the right to request this information should be mentioned in the new convention with the provision that the information should be forwarded to the Secretary-General for transmission to the competent international organ as soon as any new facts or changes occurred in the activities or functions referred to under (i) and (ii) above.

(iii) Information on national research and its results and other scientific information concerning addiction-forming drugs, if not required in the course of the procedure extending the control to new drugs, will probably be supplied in annual reports.

10. Commissions of study or enquiry; Inspections

The present control system relies predominantly on information supplied by Governments directly to the CND, the PCOB, the SB and the Secretary-General. The question arises whether other methods of obtaining relevant information should be envisaged such as

(1) Commissions of study or enquiry, to be despatched at the request of or with the consent of the Government concerned;

(2) Inspections undertaken only at the request of or with the consent of the Government concerned or under conditions specified in the Convention.*

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* See document E/CN.7/W.44, p.71