



Economic and Social Council

Distr.: Limited
10 March 2000

Original: English

Commission on Narcotic Drugs

Forty-third session

Vienna, 6-15 March 2000

Draft report

Rapporteur: Mr. Kureng Akuei **Pac** (Sudan)

Addendum

Implementation of the international drug control treaties

B. Deliberations

1. Report of the International Narcotics Control Board for 1999

1. The President of the Board introduced the Report of the International Narcotics Control Board for 1999¹ and pointed out that the medical need for opiates was not fully met in many parts of the world. He called on Governments and the medical profession to review procedures with a view to facilitating access of patients to essential pain-relieving medicines, without jeopardizing the proper functioning of safeguard mechanisms, so as to minimize misuse and leaks in the system. He also reviewed the operation of the international treaty system, explained the position of the Board on drug injection rooms and called for serious research on the possible medical uses of cannabis.

2. The Commission commended the Board and its secretariat for the preparation of its report for 1999, which provided a comprehensive and balanced picture of recent trends in the control of licit movements of narcotic drugs, psychotropic substances and precursors, and in the illicit use of and trafficking in those substances, and which reviewed the measures taken by Governments to that end. The report, which covered a broad spectrum of drug control issues, was considered to be central to the deliberations of the Commission. Several representatives provided additional information on the situation with regard to drug abuse and illicit trafficking in their countries and on the drug control strategies pursued by their Governments to reduce illicit supply and demand.

¹ United Nations publication, Sales No. E.00.XI.1.

3. Country missions of the Board were recognized as an essential aspect of its continuous dialogue with Governments. They provided Governments with the opportunity to demonstrate the effectiveness as well as the problems of their national drug control systems and enabled the Board to collect accurate, first-hand information. Suggestions and recommendations made following missions of the Board proved highly useful to Governments in their efforts to ensure national compliance. Some representatives of Governments that had received missions of the Board noted that their continued efforts to combat drug abuse and illicit trafficking had been acknowledged by the Board. The missions had led to a fruitful and constructive dialogue with the Board, and they reaffirmed the commitment of their Governments to full implementation of the recommendations made by the Board. Several representatives invited the Board to visit their countries.

4. The Commission thanked the Board for highlighting, in the first chapter of its report, the difficulties in achieving global availability of narcotic drugs for the relief of pain and human suffering. Ensuring the availability of opiates for medical purposes was a key objective agreed upon by the international community, which had entrusted the Board with the responsibility to monitor its accomplishment. The Single Convention on Narcotic Drugs of 1961² and the Convention on Psychotropic Substances of 1971³ reflected the consensus among all Governments that the medical use of drugs continued to be essential for the relief of pain and human suffering. Governments had to make adequate provision to ensure that drugs were available for medical and scientific purposes.

5. While it was acknowledged that certain psychotropic substances of the stimulant type, when properly prescribed, could be effective in treating medical conditions, care had to be taken to prevent misdiagnosis, overprescription and the resulting possible abuse of such substances. The Board was encouraged to examine the availability of psychotropic substances in its future annual reports.

6. The Commission shared the concern of the Board over the growing abuse of cannabis in many regions of the world, particularly in Europe. The view was expressed that the surge in abuse resulted from increasingly tolerant attitudes towards the substance. It was feared that rising demand for cannabis would stimulate illicit cultivation, and there were reports that increased cannabis abuse had led to a higher degree of experimentation with amphetamines and other stimulants, as well as with heroin.

7. Several representatives highlighted the growing magnitude of illicit manufacture and/or abuse of amphetamine-type stimulants in their countries and called for strengthened control of precursors and chemicals used in the illicit manufacture of those substances. Concern was expressed that recipes for illicitly manufacturing such substances were available on the Internet. Governments were encouraged to take action against the abuse of the Internet in their countries.

8. The Board was commended for its efforts in promoting the maintenance of a global balance between the supply of and demand for opiates used for medical and scientific purposes, as required under the provisions of the 1961 Convention. Two Governments expressed concern over the possible amendment of the so-called 80/20 rule, an internal regulation in the United States of America limiting imports of opiate raw materials to a maximum of 20 per cent from sources other than the traditional suppliers. The Commission was warned of the adverse effects that a possible modification of that rule might have on the balance between the supply of and demand for opiates for medical needs. The

² United Nations, *Treaty Series*, vol. 520, No. 7515.

³ *Ibid.*, vol. 1019, No. 14956.

representative of the United States stated that any change that might be made to the rule would be guided by the principle of providing relief from pain and suffering by ensuring safe delivery of the best affordable drugs to those patients who needed them while, at the same time, preventing the diversion of drugs for the purposes of abuse. One representative stated that the 1961 Convention did not prevent the export of seized opium, and that therefore, as a former traditional supplier, his Government had a legitimate right to supply opiates for medical purposes.

9. The Board and its secretariat were praised for their work in assisting competent national authorities in the prevention of diversion of drugs and precursors. The fact that there was little diversion of narcotic drugs and of most psychotropic substances from licit manufacture and trade to illicit channels was a major achievement to which the Board had contributed. Communication between national authorities and the Board was vital to ensure success in international drug control. The importance of full cooperation with the Board in the prevention of diversion of narcotic drugs and psychotropic substances from licit manufacture and trade to illicit channels was emphasized, and Governments were urged to exercise continued vigilance in the verification of the legitimacy of transactions. The Board was requested to resume its training seminars for national drug control administrators.

10. The Commission welcomed the fact that the Board had taken a clear position on the compatibility of drug injection rooms with the provisions of the international drug control treaties. Many representatives expressed deep concern over the establishment of such facilities where illicit drugs could be used, whether by injection or by any other route of administration, and agreed with the Board that Governments, by permitting drug injection rooms and thus condoning such abuse, could be viewed as contravening the international drug control treaties by facilitating, aiding and/or abetting the commission of crimes. Many representatives thus endorsed the position of the Board that the establishment and operation of drug injection rooms violated the spirit if not the letter of the international drug control treaties. Three representatives expressed a dissenting view, stating that drug injection rooms were not in contradiction with the international drug control treaties. One representative stated that a legal foundation for the establishment of drug injection rooms could only be created through an amendment of the 1961 Convention.

11. The Board should continue to encourage serious scientific research on possible medical uses of cannabis, as currently available data on the issue was skimpy and of anecdotal nature. The Commission maintained its position that, in accordance with the relevant provisions of the 1961 Convention, cannabis should not be used for medical purposes until such a time as solid scientific proof of its medical usefulness became available.

12. In considering the report of the Board for 1999, the Commission also emphasized the importance of achieving the treaty objective that narcotic drugs and psychotropic substances should be available for legitimate medical and scientific purposes. Support was expressed for an international initiative to correct the current lack of availability of and access to essential drugs.

2. Report of the International Narcotics Control Board for 1999 on the implementation of article 12 of the 1988 Convention

13. The President of the Board introduced the report of the Board for 1999 on the implementation of article 12 of the 1988 Convention.⁴ The Commission praised the Board for its report for 1999 and for the comprehensive and authoritative survey contained therein of the current status of precursor control worldwide. The report highlighted recent developments and included practical proposals for further action by Governments to make existing controls more effective, as well as a systematic analysis of global trends in seizures of, and illicit traffic in, precursors.

14. The Commission reaffirmed that the strict control of precursors and, in particular, the implementation of the recommendations of the Board to prevent their diversion from licit to illicit channels were effective means of combating the illicit manufacture of drugs. It reaffirmed that the key to precursor control was the exchange of information, in particular, by providing pre-export notices and appropriate feedback to check the legitimacy of shipments of scheduled chemicals in a timely manner, through the Board where necessary, and to identify, investigate and, as appropriate, stop suspicious shipments. It recognized the need to establish, where necessary, mechanisms for the rapid exchange of information on shipments of precursors, or otherwise to extend such mechanisms to substances not previously covered.

15. The Commission took note of the successes achieved through a systematic international tracking programme for shipments of potassium permanganate known as "Operation Purple", initiated in 1999. Operation Purple had once again demonstrated the necessity for real-time information exchange and shown that such a tracking programme could be successfully implemented at the international level even for commonly used and widely traded chemicals, such as potassium permanganate. It was recognized that for such an operation to be successful, the involvement of both law enforcement and regulatory authorities in preventing the diversion of chemicals was essential. The Commission noted that during the first phase of the operation, which ended in December 1999, participating Governments had, in addition to identifying and stopping or seizing suspicious shipments of potassium permanganate, also been able to strengthen their existing national control systems. It welcomed the extension of the operation into its second phase, and encouraged non-participating Governments to take part in the operation.

16. The Commission shared the concerns expressed by the Board, and by some Governments, that similar success in preventing diversions of acetic anhydride into illicit manufacture was yet to be achieved, and that large quantities of that substance were still reaching clandestine laboratories for illicit manufacture of heroin. In that context, the Commission welcomed the proposal by the Board to assist, in consultation with competent national authorities, in initiating an intensive global programme, fully involving law enforcement and regulatory authorities, with the objective of identifying and preventing diversions of acetic anhydride from both domestic distribution channels and international trade.

17. The Commission also fully shared the opinion of the Board concerning the importance of follow-up investigation of stopped shipments or seizures, to prevent traffickers from obtaining from other sources the substances that they required, to uncover laboratories illicitly manufacturing drugs and to identify and prosecute the traffickers

⁴ United Nations publication, Sales No. E.00.XI.3.

involved. It recognized that those investigations needed to be undertaken in close cooperation with other Governments concerned, and that their findings should be shared with competent international bodies.

18. The Commission took note of problems experienced in the disposal of chemicals seized as a result of strengthened control of those substances, thus underlining the urgent need for a study on the issues related to such disposal to be undertaken under the guidance of the Board.

19. Finally, to supplement the information given in the report on the implementation of article 12, a number of representatives provided the Commission with updated information on seizures of precursors and new controls in place or planned in their countries.

3. Changes in the scope of control of substances

20. At its 1184th meeting, on 7 March 2000, the Commission, on the recommendation of the Board, decided, by 39 votes to none, with no abstentions, to include norephedrine, including its salts and optical isomers, in Table I of the 1988 Convention.
