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Commission on Narcotic Drugs**Fiftieth session**

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Draft report*Rapporteur:* Oleh **Herasymenko** (Ukraine)**Addendum****Implementation of the international drug control treaties**

1. At its 1274th, 1276th and 1277th meetings, on 12, 13 and 14 March, the Commission considered agenda item 7, which read as follows:

“Implementation of the international drug control treaties:

“(a) Changes in the scope of control of substances;

“(b) International Narcotics Control Board;

“(c) Follow-up to the twentieth special session of the General Assembly;

“(d) Other matters arising from the international drug control treaties.”

2. For its consideration of item 7, the Commission had before it the following:

(a) Report of the International Narcotics Control Board for 2006 (E/INCB/2006/1);

(b) Precursors and Chemicals Frequently Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances: Report of the International Narcotics Control Board for 2006 on the Implementation of Article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 (E/INCB/2006/4);

(c) Note by the Secretariat transmitting the joint report of the Director-General of the World Health Organization and the President of the International Narcotics Control Board on an assistance mechanism to facilitate adequate treatment of pain using opioid analgesics (E/CN.7/2007/CRP.2).



3. An introductory statement was made by the President of the International Narcotics Control Board. Statements were made by the representatives of Germany (on behalf of the European Union), Thailand, France, Belgium, Germany, the Republic of Korea, Malaysia, the United States of America, Switzerland, Nigeria, Japan, Bolivia, Saudi Arabia, Turkey and Cuba. Statements were also made by the observers for Denmark, the Netherlands, China and the Democratic People's Republic of Korea. The observers for the European Commission and the World Health Organization (WHO) also made statements.

A. Deliberations

1. Report of the International Narcotics Control Board for 2006

4. The President of the International Narcotics Control Board in introducing the report of the Board for 2006,¹ pointed out that chapter I of the report was devoted to the issue of internationally controlled drugs and the unregulated market. Noting that the Internet had become a major distribution channel for drugs, the President stressed that most online outlets selling internationally controlled drugs were operating in violation of international standards. The problem of counterfeit medicines had also assumed significant proportions in both developing and developed countries. In addition, the President informed the Commission on joint action taken by the World Health Organization and the Board with a view to further increasing the availability of opioid analgesics for medical purposes. The Framework for the Access to Controlled Medications Programme, which identified the causes of underuse of controlled substances and outlined activities that should be taken to surmount the obstacles to adequate pain management in many countries, had been made available to the Commission (E/CN.7/2007/CRP.7).

5. Appreciation was expressed to the Board and its secretariat for the preparation of its report for 2006, which provided a comprehensive picture of recent trends in the control of the licit movement of precursors of narcotic drugs and psychotropic substances and in the illicit use of and trafficking in those substances, and which reviewed the measures taken by Governments in that regard.

6. The Commission shared the concerns of the Board over the availability of internationally controlled substances in unregulated markets and the increasing online selling of pharmaceuticals through unlicensed Internet pharmacies. The counterfeiting of drugs and medicines constituted a crime that undermined national health-care systems and resulted in the loss of confidence in the drug control system. The World Health Organization, which was spearheading global action in the fight against counterfeit drugs, had invited the Board to participate in its International Medical Products Anti-Counterfeiting Taskforce. Governments had been requested to give full attention to the recommendations made by the Board in order to reduce and eventually eliminate unregulated markets.

7. The Commission noted the collaboration between the World Health Organization and the Board in ensuring the availability of opiates for medical purposes, and Governments were encouraged to continue their efforts in removing obstacles impeding the availability of opiates for the relief of pain and suffering,

¹ United Nations publication, Sales No. E.07.XI.11.

while preventing their diversion for illicit use. In addition, the Commission welcomed the continued efforts of the Board in promoting the maintenance of a global balance between the supply of and demand for opiate raw materials for medical and scientific purposes, as required under the provisions of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol.² Reference was made to Economic and Social Council resolution 2006/34 of 27 July 2006, in which the Council had emphasized the need to maintain such a balance.

8. The importance of adherence to and full implementation of the provisions of the international drug control treaties, which were the foundation of the international drug control system, was stressed. States that had not yet become parties to one or more of those treaties were urged to adhere to them as soon as possible. It was noted that Governments should fulfil their reporting requirements and submit information to the Board in a timely manner. The observer for the Democratic People's Republic of Korea informed that Commission that his Government would soon deposit with the Secretary-General the instruments of accession to the 1961 Convention as amended by the 1972 Protocol and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,³ and that it would faithfully implement the provisions of those conventions.

9. The Commission noted with deep concern the overall drug control situation, in particular the growth in the illicit cultivation and production of and trafficking in opiates in Afghanistan. It was emphasized that adequate support should be provided to that country and to the neighbouring States and transit States in their fight against drugs produced in Afghanistan and trafficking in drugs of Afghan origin.

10. Several representatives informed the Commission of a number of notable developments and achievements in addressing drug abuse and drug trafficking. Representatives also reported on drug control strategies being implemented by their Governments to reduce illicit drug supply and demand. Large quantities of drugs had been seized, and important measures to improve drug control had been undertaken.

11. Representatives also informed the Commission on action taken by their Governments to implement the recommendations of the Board following a mission of the Board to their country. The representative of Bolivia requested the Board to continue its dialogue with his Government on matters related to the implementation of the international drug control treaties. He expressed the dissatisfaction of his Government at his country being treated as a "special topic" in the report of the Board for 2006. The Government of Bolivia had demonstrated efficacy in drug control and the reduction of coca bush cultivation, through the implementation of concerted social policies and respect for human rights. Nevertheless, the Government of Bolivia reaffirmed the significance of the coca leaf as a cultural right, which was a matter that needed to be taken into consideration in the framework of future dialogue without prejudice. In that regard, the President of the Board expressed his readiness to engage in dialogue at any time.

² United Nation, *Treaty Series*, vol. 976, No. 14152.

³ *Ibid.*, vol. 1582, No. 27627.

12. Some representatives noted that the abuse of and trafficking in ketamine were matters of concern in their countries. They welcomed the Board's call for the implementation of Commission on Narcotic Drugs resolution 49/6, entitled "Listing of ketamine as a controlled substance", in which the Commission had called upon Member States to consider controlling the use of ketamine by placing it on the list of substances controlled under their national legislation, where the domestic situation so required.

13. The Commission noted the view of the Board that the establishment and management of drug injection rooms ran counter to the language and the spirit of the international drug control treaties. It was noted, however, that, under certain conditions, drug injection rooms could be in line with the provisions of the treaties, in particular article 38 of the 1961 Convention, which required Governments to provide treatment and rehabilitation for drug abusers. The representative of Germany said that, in her country, drug injection rooms were referred to as "medically supervised outreach facilities", and they had succeeded in establishing contact with drug abusers who otherwise could not have been reached. The President of the Board stated that the supervision of drug use did not constitute treatment or rehabilitation.

2. Report of the International Narcotics Control Board for 2006 on the implementation of article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988

14. The President of the International Narcotics Control Board introduced the 2006 report of the Board on the implementation of article 12 of the 1988 Convention.⁴ The President informed the Commission that, in response to Commission on Narcotic Drugs resolution 49/7, entitled "Promoting a consistent approach to the treatment of saffron-rich oils", the Board had formulated the following definition: "Saffron/saffron-rich oils are any mixtures or natural products containing saffron present in such a way that it can be used or recovered by readily applicable means". The Commission thanked the Board for the clear, global overview of the licit trade in precursors and the latest trends in the diversion of precursors, in particular, precursors of amphetamine-type stimulants.

15. A number of representatives provided updates on new legislation on precursors and measures for precursor control in their countries.

16. The Board's response to Commission on Narcotic Drugs resolution 49/3, entitled "Strengthening systems for the control of precursor chemicals used in the manufacture of synthetic drugs", was noted with appreciation. The publication of licit requirements for precursors was recognized as an important tool in determining the legitimacy of shipments. All Governments were called upon to submit and update those requirements. Governments were also urged to provide, to the extent possible, estimates of their licit requirements for pharmaceutical preparations, in order to prevent diversion.

17. Several representatives noted the utility of the Pre-Export Notification Online system as a quick and effective method to exchange information on individual shipments in licit international trade.

⁴ United Nations publication, Sales No. E.07.XI.12.

18. Governments were urged to contribute to and consult the limited international special surveillance list. It was noted that there continued to be a need to monitor non-controlled substances because traffickers were using alternative substances for illicit drug manufacture. The importance of involving industry in drug control was also recognized by the Commission.
