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UNITED NATIONS

COMMISSION ON NARCOTIC DRUGS

REPORT of the EIGHTH SESSION

(30 MARCH TO 24 APRIL 1953)

ECONOMIC AND SOCIAL COUNCIL

OFFICIAL RECORDS: SIXTEENTH SESSION

SUPPLEMENT No. 4

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Symbols of United Nations documents are composed of capital letters combined with figures.
Mention of such a symbol indicates a reference to a United Nations document.

E/2423
E/CN.7/262

7 May 1953



COMMISSION ON NARCOTIC DRUGS

Report to the Economic and Social Council on the eighth session of the Commission, held in New York from 30 March to 24 April 1953

INTRODUCTION

1. At its eighth session, the Commission's attention was mainly devoted to the working of the present system for the international control of narcotic drugs and to the preparation of the draft single convention designed to codify the provisions of the existing treaties.

2. The Commission studied the various aspects of the narcotics problem, both national and international, as reflected in the annual reports submitted by governments. It paid special attention to illicit traffic and examined the situation in different parts of the world. It requested the Secretary-General to approach governments in cases where the situation called for fuller information or appropriate action, and again pointed to the need for strict measures against seamen who smuggle narcotic drugs. In view of the particularly dangerous nature of diacetylmorphine, the Commission paid special attention to the clandestine manufacture of this drug and the illicit traffic in it.

3. The Commission continued its study of the draft single convention, some articles of which it had considered at its previous session. The provisions discussed at the current session related to the composition and functions of the International Narcotics Board, to the Secretariat and the national control organs, and to the control of the manufacture of narcotic drugs and of international trade. The decisions of the Commission on these matters concerned the principles on which the revised text of the Single Convention should be based.

4. In drawing up the programme of future work of the Division of Narcotic Drugs in accordance with Economic and Social Council resolution 451 A (XIV), the Commission included the following questions, which

did not appear in the list of priorities it had drawn up at its seventh session: drug addiction, Indian hemp, coca leaf, abolition of opium smoking.

5. For the first time in a number of years the problem of Indian hemp was discussed in the Commission. After reviewing the arrangements for the control of Indian hemp in different countries, the Commission approved a programme of studies.

6. As regards the problem of synthetic drugs which had already been brought to the attention of the Council at its fourteenth session, the Commission proposed a further series of studies.

7. The Commission also considered the scientific research on narcotics conducted by the Secretariat in co-operation with the scientists of different countries. It did not take a formal decision on the matter, but thought that preference should be given in such research to the determination of the origin of opium, a task which the Council had already assigned to the United Nations Narcotics Laboratory.

8. The Commission received valuable assistance during the session from the representative of the World Health Organization, particularly in connexion with the items on Indian hemp and synthetic drugs, and from the representative of the Permanent Central Opium Board and the Supervisory Body.

9. Before adjournment the Commission paid tribute to the Permanent Central Opium Board on the occasion of its 25th anniversary and conveyed its congratulations and wishes to Mr. Herbert L. May who served on the Board during this whole period and was its President since 1946.

I. ORGANIZATIONAL AND ADMINISTRATIVE MATTERS

Representation at the session

10. Members of the Commission were represented as follows:

Canada: Colonel C. H. L. Sharman, C.M.G., C.B.E., I.S.O., Mr. K. C. Hossick (Alternate)

China: Dr. Chi-Kwei Liang, Dr. Hsiu Cha (Adviser)

Egypt: Mr. Ibrahim Ezzat

France: Mr. C. Vaille, Mr. G. Amanrich (Adviser), Mr. R. Gorse (Adviser)

India: Mr. E. S. Krishnamoorthy, Mr. S. C. Mathur (Alternate)

Iran: H.E. Dr. A. G. Ardalan, Dr. Amir Esfandiary (Adviser)

Mexico: Dr. O. Rabasa, Dr. A. Martinez-Lavalle (Alternate)

Netherlands: Mr. A. Kruijsse

Poland: Mr. E. Kulaga, Mrs. Maria Kowalczyk (Alternate)

Turkey: Dr. C. Or, M.P.H., Mr. Selman Açıba (Alternate)

Union of Soviet Socialist Republics: Mr. V. M. Zonov, Mr. Osnytskaia (Adviser)

United Kingdom of Great Britain and Northern Ireland: Mr. J. H. Walker,

United States of America: Mr. H. J. Anslinger, Mr. G. A. Morlock (Adviser)

Yugoslavia: Mr. D. Nikolic

Note: Peru, which is a member of the Commission, was not represented at the session.

11. The Commission invited the following States to send observers to represent them when the Commission was discussing matters of particular interest to them:

<i>State</i>	<i>Observers</i>	<i>Subject under discussion</i>
Belgium	Professor Jacques Errera	The proposed single convention on narcotic drugs
Bolivia	Mr. Gaston Arauz	The problem of the coca leaf
Burma	U Ba Maung U Tin Maung	Abolition of opium smoking in the Far East
Italy	Mr. Luciano Giretti Mr. Arnaldo d'Anneo	The proposed single convention on narcotic drugs
	Professor Alberto Canaperia	Situation regarding illicit traffic in Italy
Pakistan	Mr. A. A. Farooq	The problem of Indian hemp
Switzerland	Mr. Auguste Lindt Mr. Claude Van Muyden (Alternate)	The proposed single convention on narcotic drugs
Thailand	M. C. Jotisi Devakul	Abolition of opium smoking in the Far East

12. The Commission heard the Permanent Representative of Lebanon to the United Nations, who made a statement referred to in paragraph 80 of this document.

13. The Permanent Central Opium Board and the Supervisory Body were represented by Mr. H. L. May.

14. The World Health Organization was represented by Dr. P. O. Wolff, Ph. D., M.A.

15. At the opening meeting, the Food and Agriculture Organization of the United Nations was represented by Miss A. Banos and the United Nations Educational, Scientific and Cultural Organization was represented by Mr. S. V. Arnaldo.

16. A representative of the International Criminal Police Commission attended the 220th meeting during which he made a statement referred to in paragraph 71 of this document.

17. Mr. G. Georges-Picot, Assistant Secretary-General in charge of the Departments of Economic Affairs and Social Affairs, represented the Secretary-General at the first meeting. At other times, the Secretary-General was represented by Mr. G. E. Yates, Director of the Division of Narcotic Drugs and, in the temporary absence of Mr. Yates, by Dr. R. T. Huang, Division of Narcotic Drugs.

Opening and duration of the session

18. The session was opened by Dr. O. Rabasa (Mexico), the Chairman of the Commission at its seventh session.

19. Mr. G. Georges-Picot, Assistant Secretary-General in charge of the Departments of Economic Affairs and

Social Affairs, made a speech of welcome, in which he reviewed the principal questions on the agenda of the Commission at its eighth session. He noted with gratification the co-operation between the Commission, the Permanent Central Opium Board, the Supervisory Body and the World Health Organization, and conveyed the Secretary-General's best wishes for the success of the session.

20. The representative of the Union of Soviet Socialist Republics, supported by the representative of Poland, submitted a draft resolution (E/CN.7/L.23) to exclude the representative of the National Government of China and to invite a representative of the Central People's Government of the People's Republic of China to participate in the work of the Commission. The representative of the United States of America proposed that the Commission should postpone discussion of the matter for the duration of the eighth session. The Acting Chairman's ruling that the United States representative's motion to postpone the discussion should be put to the vote first in accordance with the rules of procedure was challenged by the representative of the Union of Soviet Socialist Republics; the ruling was put to the vote and upheld by eleven votes to two, with one abstention. The United States motion was then put to the vote and *the Commission decided by nine votes to three, with one abstention, to postpone, for the duration of the present session, the discussion of proposals to change the representation of China in the Commission.*

21. The session lasted from 30 March to 24 April 1953 and a total of 35 meetings were held.

Election of officers

22. On the proposal of the representative of the United States of America, seconded by the representative of Canada, the Commission decided to re-elect the officers elected at its previous session. Dr. O. Rabasa (Mexico) and Mr. C. Vaille (France) were re-elected Chairman and Vice-Chairman by acclamation. On the request of the representative of the Union of Soviet Socialist Republics, a vote was taken on the election of the rapporteur. Mr. D. Nikolic (Yugoslavia) was re-elected Rapporteur by secret ballot by eleven votes to two, with one abstention.

Adoption of the agenda

23. A number of observations having been made regarding the provisional agenda (E/CN.7/248), the Commission, on the proposal of the Chairman, appointed a Committee, consisting of the officers of the Commission and the representatives of Canada and Turkey, to revise the provisional agenda taking into account the observations made in the Commission.

24. The Committee recommended the adoption of the following agenda:

- (1) Election of officers
- (2) Adoption of the agenda
- (3) Progress report of the Division of Narcotic Drugs
- (4) The proposed single convention on Narcotic Drugs
- (5) Appointment of a member of the Supervisory Body
- (6) Annual Reports of Governments made pursuant to article 21 of the 1931 Convention, as amended by the 1946 protocol

- (7) Illicit traffic
 - (a) Reports on the illicit traffic
 - (b) Situation regarding illicit traffic in the Far East
 - (c) Situation regarding illicit traffic in Italy
 - (d) Smuggling by seamen
- (8) Abolition of opium smoking in the Far East
 - (a) Draft resolution concerning reports on the abolition of opium smoking and Reports of Governments for the years 1950 and 1951
 - (b) Proposal of Burma relating to the co-ordination of the efforts of certain Far East Governments to suppress poppy cultivation and the smuggling of opium
- (9) Scientific research on narcotics
- (10) The problem of synthetic drugs
- (11) The problem of Indian hemp
- (12) List of narcotic drugs under international control
- (13) Laws and regulations relating to the control of narcotic drugs
- (14) Revision of the Form of Annual Reports
- (15) Co-operation between the United Nations and the Universal Postal Union in respect of control of narcotic drugs
- (16) The problem of the Coca Leaf
- (17) Programme priorities in the field of narcotic drugs
- (18) Other questions
- (19) Consideration of the draft report on the eighth session of the Commission

25. The Commission unanimously decided to *adopt the agenda proposed by the Committee (E/CN.7/L.24), with a time schedule arranged in order to complete the disposition of all items within the period of the present session.*

Progress report of the Division of Narcotic Drugs

26. The Commission considered the Progress Report of the Division of Narcotic Drugs on its work during the period 21 March to 31 December 1952 (E/CN.7/249) together with the addendum covering the period 1 January to 28 February 1953 (E/CN.7/249/Add.1).

27. Some of the matters raised during the consideration of the Progress Report are referred to elsewhere in this report. After examining the report paragraph by paragraph, the Commission, on the proposal of the United Kingdom representative, decided by eleven votes to two, with one abstention, *to take note of the progress report of the Division of Narcotic Drugs on its work during the period 21 March to 31 December 1952, and of the addendum covering its work during the period 1 January to 28 February 1953, and to express its satisfaction at the work accomplished by the Division during those periods.*

Future priorities for the work of the Division of Narcotic Drugs

28. In connexion with Economic and Social Council resolution 451 A (XIV) and its annexes, the Commission decided to *recommend the following order of priority in the field of narcotic drugs:*

- (i) *Performance of functions directly related to the implementation of the international treaties on narcotic drugs;*
- (ii) *The proposed single convention on narcotic drugs;*

- (iii) *Drug addiction;*
- (iv) *The study of the problem of synthetic drugs;*
- (v) *The problem of Indian hemp;*
- (vi) *The assay, characteristics, composition and origin of opium;*
- (vii) *The problem of the coca leaf;*
- (viii) *Abolition of opium smoking.*

29. The Commission considered that the question of the limitation of opium production was implicitly included in item (i) above.

30. The Secretary-General's report on the programme of concerted practical action in the social field of the United Nations and specialized agencies (E/CN.5/291) prepared in accordance with General Assembly resolution 535 (VI) for the Social Commission and the Economic and Social Council, was brought to the attention of the Commission for its information. The Commission did not make any comments on the substance of this document.

Date and place of the ninth session of the Commission

31. Having considered, in accordance with rule 28 of the Rules of Procedure, a statement by the representative of the Secretary-General (E/CN.7/L.45/Add.1) and the report to which it referred (A/2243) on the proposal of France and Turkey, *the Commission decided by 9 votes to none, with 5 abstentions, to adopt the following resolution:*

DATE AND PLACE OF THE NINTH SESSION OF THE COMMISSION ON NARCOTIC DRUGS

The Commission on Narcotic Drugs,

Considering resolution 694 (VII) adopted by the General Assembly on 20 December 1952, providing for the establishment of a regular pattern of conferences to be held at Headquarters and at Geneva for a period of four years commencing on 1 January 1954, and considering the report (A/2363) prepared in pursuance of that resolution by the Secretary-General, and rule 3 of its rules of procedure,

Noting that at its seventh session it decided to "inform the Council that in its view the interests of the international control of narcotics would best be served if it were to continue its general practice of meeting in April and May of each year",

Stressing the presence at Geneva of international bodies having a direct interest in the question of the control of narcotic drugs,

Drawing the attention of the Council to the fact that it would be desirable for the Commission to hold sessions in Europe from time to time, and that it has hitherto been unable to do so,

Recommends to the Council that in considering the calendar of economic and social conferences for the period 1954-1957 it should invite the Commission to hold its annual sessions for 1954 and 1956 in Geneva, the opening dates of the sessions being not earlier than the first Monday in April.

Adoption of the report of the Commission to the Economic and Social Council on its eighth session

32. By 11 votes to 2, with 1 abstention, the Commission decided, (E/CN.7/SR.223), *to adopt its report to the Economic and Social Council on its eighth session.*

II. IMPLEMENTATION OF THE INTERNATIONAL TREATIES ON NARCOTICS

Annual reports of governments made pursuant to article 21 of the 1931 Convention, as amended by the 1946 Protocol

33. The Commission examined the Summary of Annual Reports of Governments for 1951 (E/NR.1951/Summary) and those annual reports for 1951 (E/NR.1951/100, 105, 106, 110, 111, 112) which were received by the Secretariat after 15 November 1952 (the latest date for inclusion in the Summary) and which were available to the members of the Commission. Several points in connexion with the former were discussed and noted; in addition, a number of clarifications were requested of, and supplied by, the Secretariat.

34. The representative of the Union of Soviet Socialist Republics, supported by the representative of Poland, proposed that all references concerning the Central People's Republic of China, appearing in the chapter on illicit traffic of the above-mentioned Summary, should be deleted and that document E/NR.1951/101 should be removed from the records. He also proposed that the same should apply to the references to the smuggling into Japan of heroin alleged to have come from China (page 46 of the Summary) and to other false statements contained in the sections of that document which summarized the reports on the United States and Hong Kong. The Commission decided by 11 votes to 2 with 1 abstention that the entire chapter referred to above should be considered along with the other items dealing with the illicit traffic.¹

35. The representative of France drew the Commission's attention to a number of annual reports that contained no information. In reply, the representative of the United Kingdom, speaking on behalf of territories for which his Government has international responsibility, stated that in many small colonial territories the narcotic problem was insignificant. That being so, their administrations which were small and had a great deal of work probably saw no reason to do more than notify significant changes. He would, however, draw the attention of the administrations concerned to the remarks which had been made.

36. The question of the use of preparations containing heroin in Australia was raised by the representative of Canada and in that connexion he referred to correspondence between the Government of Australia and the Drug Supervisory Body during 1952. He also quoted from a report of a broadcast which, in his opinion, showed that there were difficulties in the legislative field in that country.²

37. In connexion with the other chapters of the Summary, statements were made by the representatives of Canada, France, Iran, Mexico, United Kingdom and the World Health Organization.

38. By a vote of 11 in favour, 2 against and 1 abstention, the Commission decided to take note of the Summary of Annual Reports for 1951.

Revision of the form of annual reports

39. At its 216th meeting, the Commission considered the draft amendments to the form of annual reports

(E/NR.1949/Form) contained in a memorandum submitted by the Secretary-General (E/CN.7/251), as requested at the seventh session,³ and in an alternative draft proposed by the Government of the United Kingdom (E/CN.7/251/Add.1).

40. With modifications, the Commission decided to incorporate in the present form of annual reports the text relating to prepared opium embodied in the memorandum by the Secretary-General and the text relating to synthetic narcotic drugs and to diacetylmorphine contained in the draft proposed by the United Kingdom.

41. The Commission also decided to request the Secretary-General to draft a complete revised text of the form of annual reports for its consideration at the next session.

Laws and regulations relating to narcotic drugs

42. The Commission examined the Annual Summary of Laws and Regulations Relating to the Control of Narcotic Drugs for 1951 (E/NL.1951/Summary).

43. Observations made during the discussion of the document related particularly to the increased attention paid by governments to the cure of addiction; to new legislation in preparation in France and to the method used in that country for restricting the manufacture of synthetic drugs; and to the advisability of prescribing by law maximum doses of narcotics which physicians may use in the treatment of addicts. A proposal by the representative of the Union of Soviet Socialist Republics to delete all the paragraphs of the Summary dealing with alleged information on China was rejected by the Commission by 10 votes to 3 with 1 abstention.

44. The Commission decided to request the Secretary-General to obtain more detailed information from the Government of Argentina on the "semi-industrial extraction of the active constituents of a quantity of opium poppy" reported by that Government to have been authorized in 1950.

45. Upon a request made by the representative of Egypt, the representative of the United States stated that he would ask the authorities of the Federal Hospital at Lexington, Kentucky, to forward to the Secretariat copies of the studies on addiction made in that hospital, in numbers sufficient to permit their distribution to the Commission. The Chairman invited the other representatives to forward to the Secretariat any similar studies that might be issued in their respective countries and requested the Secretariat to present any such documentation it received to the Commission at its ninth session, if possible with a translation into French.

46. The Commission decided, by 12 votes in favour, and 2 against, to take note of the Summary of Laws and Regulations Relating to the Control of Narcotic Drugs for 1951.

ILLICIT TRAFFIC

General

47. The Commission examined and noted the summaries of illicit transactions and seizures communicated to the Secretariat in 1952 (E/NS.1952/Summary 2, 3,

¹ See document E/CN.7/SR.203; see also E/CN.7/SR.223.

² See document E/CN.7/SR.203.

³ See document E/2219-E/CN.7/240, para. 34.

4, 5, 6), the documents reproducing chapter V (Illicit Traffic) of the annual reports of governments for 1952 (E/CN.7/L.21 and E/CN.7/L.21/Add.2) on the traffic in opium and other dangerous drugs and the Secretary-General's memorandum on the illicit traffic in narcotic drugs in 1952 (E/CN.7/252).

48. In this connexion, the Commission reviewed the situation in the various areas of the world where there is known illicit traffic.

49. The representatives of Turkey and Egypt outlined new legislation being promulgated in their respective countries which made penalties for all illicit dealings in narcotics far more severe. The campaign against smugglers and illicit cultivation had been intensified with very good results.

50. The Commission decided to *invite the Secretary-General to write to the authorities of Tangiers bringing to their notice the fact that the zone was mentioned on various occasions as being a source of supply.*

51. In connexion with the illicit traffic in diacetylmorphine, the Commission was informed that this was now almost exclusively the drug of addiction in Canada, and practically all the heroin used by addicts there was coming illegally into the country.

52. The representative of France referred to the clandestine laboratories for the manufacture of heroin discovered in his country, the police having been very active in such investigations which had been carried on with the aid of United States narcotic agents. In one case, a trafficker was arrested just prior to his embarkation for Bolivia where he was to operate a clandestine narcotics factory, and there was evidence that a large organization existed having very wide ramifications. Many European-trained chemists were being sent to Latin America and elsewhere to carry on this nefarious trade, and the United States representative informed the Commission that the Government of Ecuador had been very active in this matter. An investigation there had uncovered large diversions of narcotics supplied on regular import and export certificates from the United Kingdom, the United States, Switzerland and other countries, which indicated a lack of control of legitimate stocks. A large seizure had been made recently and in these circumstances the Commission decided to *invite the Secretary-General to write to the Government of Ecuador for a report.*

53. It was noted that there had been a substantial decline in the traffic in cocaine; this was due in part to the closing down of factories by the Government of Peru, but also partly because the therapeutic use of cocaine had diminished considerably over the past twenty years. No information as to the manufacture of crude cocaine had, however, been received by the Permanent Central Opium Board either from Peru or Bolivia since 1949. According to the United States representative, a cocaine factory in La Paz, Bolivia, had exploded in February 1953, and it was possible that this place had been a source of supply. The Commission decided to *invite the Secretary-General to write for a report from the Government of Bolivia.*

54. The representative of Turkey drew the Commission's attention to the fact that his Government had reduced its imports of acetic anhydride, which were controlled, and seized any quantities smuggled into the country. This was a very serious problem for Turkey, as for other countries, as acetic anhydride played an

important part in the clandestine manufacture of diacetylmorphine. It was pointed out that the Advisory Committee on Traffic in Opium and Other Dangerous Drugs of the League of Nations had studied the question of this raw material and had drawn up a report on the subject of its connexion with the illicit traffic in diacetylmorphine. The Commission decided to *invite the Secretary-General to communicate to its members the text of the report of the League of Nations concerning acetic anhydride.* As this material is used extensively in many industrial operations it was very difficult to control trade in it, and the Commission agreed that in the main it was a matter for the interested governments to handle in conjunction with police authorities. The World Health Organization might be of assistance in determining the various groups of industries using this substance. The Commission decided that *the question of acetic anhydride should be examined at the next session.*

55. The Commission decided to *request the Secretariat to include a chapter or section on synthetic drugs in the Summary of Illicit Transactions and Seizures (Series E/NS)*

56. During the general consideration of the reports covering seizures, following a proposal by the representative of the Union of Soviet Socialist Republics, the Commission decided by 11 votes in favour, 1 against and 2 abstentions to *delete a part of the second paragraph of Case No. 727 in document E/NS. 1952/Summary 6, dealing with a seizure at Nazareth, Israel.*

57. The Egyptian representative was congratulated on the high standard of the reports submitted by his Government, and with reference to a seizure in Jamaica, Case 570 of document E/NS.1952/Summary 5, the Commission decided to *invite the Secretary-General to write to the Jamaican authorities and congratulate them for the work done in that respect.*

58. It was stated that large quantities of opium had been offered for sale in Kuwait, but no report on that matter had been received. The attention of the Commission was called to a previous wish it had expressed that inquiries should be made as to the position in Kuwait, and a member suggested that these inquiries should be renewed. It was also established that Cyprus was being used as an intermediary port of transit for the illicit traffic.

59. Dealing with seizures in Italy, the Commission decided to *invite the Secretary-General to write to the Government of Lebanon drawing its attention to the fact that a great number of Lebanese were involved in the international traffic in diacetylmorphine.* Important seizures had also been made in Trieste, though the Secretariat, in spite of writing for reports, had not received any data.

60. The Commission noted the increasing use of the airways for the illicit traffic of narcotics, and the Government of India, in particular, was exercising the greatest vigilance at all ports, including airports.

61. The Indian representative stated that preventive measures were being strictly enforced in his country and the Government was carrying out its ten-year plan to suppress the use of opium for quasi-medical use, so that by 1959 it was hoped that such use would have completely disappeared. The illegal export of opium from India had declined considerably due to the measures taken by the Administration.

62. Penalties for trafficking had been made much more severe by recent legislation in Iran, and the Iranian representative outlined a new law that was being studied to prohibit the importation, production, sale and purchase of all alcoholic beverages as well as of opium and its derivatives. As from 21 March 1954, the cultivation of poppy, except for medical and scientific requirements, would also be prohibited.

63. Since chapter V of the annual report for Mexico for 1952 could not be ready for distribution though presented in due time by the Mexican Government, the Commission was also given a detailed statement by the representative of Mexico on the suppression of illicit traffic in that country. The work of destroying crops continued, as also an active campaign against the cultivation of marihuana. There was very strict control of the frontier areas and seaports, and the Government was making further efforts to further the collaboration between the various departments as well as to improve co-operation with the United States of America in the control of the traffic between the two countries. Over three and a half million square metres of poppy plantations had been destroyed during the 1952-1953 campaign, twenty-two persons had been imprisoned and warrants had been issued for the arrest of over 100 other criminals. One clandestine laboratory had been discovered, 380 grammes of heroin being seized. Over 130 kilogrammes of opium had been confiscated. There had also been some trafficking in morphine. As regards marihuana, the Government was vigorously combating the traffic in that drug, nearly 1,400 kilogrammes being seized and 700 persons arrested. Representatives of the United States and Canada expressed the satisfaction of their Governments with the efforts made by the Government of Mexico in eradicating the cultivation of the opium poppy and in the suppression of the illicit traffic.

64. The Commission noted that the attention of the French police had been drawn to the increased addiction to hashish and the discovery of plantations. Eleven thousand plants of Indian hemp had been seized. The French Government was very anxious about the increase of the illicit traffic in France itself, two significant facts being the manufacture of diacetylmorphine and the use of the ports for transit purposes. Except for a decline in seizures of opium, the seizures of other drugs had increased. As regards the situation in the French overseas territories, the traffic was stationary except in North Africa. There had been increased traffic between Algeria, Tunisia, Morocco and Metropolitan Territory although the police co-ordination there had obtained excellent results.

65. The general situation in the Netherlands had not undergone much change, though the increase in the use of marihuana cigarettes, coming into the country, was something new in recent times. Present legislation did not cover Indian hemp, but the 1936 Convention was about to be ratified and the existing laws would be amended accordingly.

66. In discussing the question of penalties, it was generally agreed that stiffer sentences would greatly assist in combating the illicit traffic. The new laws mentioned by the representatives of Turkey, Egypt and Iran would prove most efficacious in deterring would-be traffickers and other countries should follow suit. In Canada, offenders convicted of contributing to juvenile delinquency through the traffic of narcotics were sentenced to the lash.

67. The Commission then considered the replies from governments dealing with resolution 436 C (XIV) of the Economic and Social Council on the control of the illicit traffic in narcotic drugs (E/CN.7/257). The Commission decided *that the Secretariat should include in the documents reproducing replies of Governments the text of the resolution to which they refer.*

68. In taking note of all documents submitted which dealt with the illicit traffic, the Commission decided *that document E/CN.7/L.21/Add.1, which was, at the time of the session, available only in English, (chapters V of annual reports not included in E/CN.7/L.21) should be submitted to the Commission at its ninth session.*

69. The representative of the Union of Soviet Socialist Republics, supported by the representative of Poland, proposed that all references concerning the Central People's Republic of China appearing in the chapter on illicit traffic of the Summary of annual reports for 1951 (E/NR.1951/Summary) should be deleted and that document E/NR.1951/101 should be removed from the records (see paragraph 34 for the first time this proposal was moved). He also proposed the deletion of the references to the smuggling into Japan of heroin alleged to have come from China (page 46 of the Summary), and to other statements contained in the sections of that document which summarized the report of the United States and Hong Kong. The Commission examined the chapter on illicit traffic of the Summary while considering the item "Illicit Traffic" of its agenda and rejected by 10 votes to 2, with 2 abstentions, the proposal by the Union of Soviet Socialist Republics referred to above.

70. The representative of the United Kingdom said that some of the statements made in the annual report of China for 1951 (E/NR.1951/101) in respect of Hong Kong and Singapore were incorrect and he could not accept them. He refuted the allegations levelled at the annual report of Hong Kong for 1951 by the representative of the Union of Soviet Socialist Republics.

71. The representative of the International Criminal Police Commission made a statement to the effect that the report of his Commission for 1952 regarding narcotics had been submitted to the Secretary-General of the United Nations and would be distributed to the members of the Commission on Narcotic Drugs; that his Commission was getting more collaboration from countries in the Far East; that the work of the I.C.P.C. had greatly increased and that the work of his Commission and the United Nations in the field of illicit traffic in narcotic drugs did not duplicate each other.

THE ARAB LEAGUE ANTI-NARCOTICS PERMANENT BUREAU

72. The Egyptian representative made a statement to the Commission summarizing two reports he had received from the Permanent Bureau. The Director had made various trips to the countries members of the League, in 1952, and the last in January 1953.

73. As far as Lebanon was concerned, there had not been much change in the situation and due to the high profits involved there was no decline in the cultivation of hashish. By the end of August 1952, however, about 3 million square metres had been destroyed, although the political state of affairs had prevented this work being completed.

74. With regard to Syria, the situation was improving, and the continuous efforts of the authorities concerned were successful. Large-scale smuggling still continued, however, along the Lebanese-Syrian border; large quantities of the "black" drugs were brought illicitly into Syria and the contraband in the "white" drugs had also been greater than in the past.

75. The Director of the Bureau was satisfied with the results obtained in Jordan, and the authorities there had assured him of their closest co-operation in the fight against the illicit traffic. Jordan was only used as a transit zone for smuggling to Israel and Egypt.

76. In Saudi Arabia, smuggling activities usually increased during the pilgrimage season; however, traffickers have been smuggling large amounts of opium and hashish into the country, which was probably due to Lebanese traffickers being forced to carry their activities into the country on account of the new stringent Egyptian law.

77. As to Iraq and Yemen, neither country manufactured nor consumed narcotics.

78. In general the situation seems to be improving in all countries of the League, though there is some cause for alarm at the considerable increase in "white" drugs being smuggled into Syria and Lebanon from Europe.

79. On the proposal of the United States representative, the Commission voted to extend its congratulations to the Director of the Permanent Anti-Narcotics Bureau of the Arab League for his report.

80. At a later meeting, the representative of Lebanon made a statement to the effect that the policy of his Government was to continue its efforts in the suppression of the illicit traffic (cultivation of Indian hemp) and that he proposed to obtain more information on this subject and communicate it to the Secretary-General for circulation among the members of the Commission.

ILLCIT TRAFFIC IN ITALY

81. Following various questions put to him, the Italian observer made a statement to the Commission in which he thanked the United States representative for his words of appreciation regarding the work of the Italian Government in attempting to suppress the illicit traffic. Extensive investigations going back as far as 1946 had been carried out and had not yet been concluded. One of the most important cases concerned the firm of Schiapparelli, who were licensed narcotic manufacturers. It was found that 350 to 400 kilogrammes of diacetylmorphine had been clandestinely manufactured and disposed of illicitly, the man responsible being the technical manager, Professor Migliardi. The Company's activities had been suspended for a time but as the owner was cleared, this suspension had been lifted.

82. Several members of the Commission expressed surprise that the professor had not yet been prosecuted and that the Company continued to be licensed for the manufacture of narcotic drugs.

83. It was not possible to completely prohibit the manufacture of diacetylmorphine in Italy for therapeutic uses, but, since July 1951, production had been entirely suspended; requirements were taken from a stock of 28 kilogrammes of which 17 were held by the military medical authorities, the remaining 11 being divided into small quantities among the various licensed narcotic manufacturers, of whom there were only five. The question

of complete prohibition was, however, still under consideration by the Government, a study being made by the National Council of Health. He hoped at the next Assembly of the World Health Organization to be able to give a favourable answer on that subject.

84. The United States representative stated that diversion of diacetylmorphine in Italy was a source of anxiety to him.

85. The Italian Observer, in regard to the sentences passed, stated that trial was still pending, but the Government was considering new legislation which would provide for more severe sentences than at present permitted under existing laws. The Observer said that his Government would send a report on the subject.

ILLCIT TRAFFICKING BY THE CREWS OF MERCHANT SHIPS AND CIVIL AIRCRAFT

86. In connexion with the resolution of the Economic and Social Council relating to the smuggling by merchant seamen, the Commission was informed that the United States had enacted legislation providing for penalties of \$50 per ounce for the master of any ship involved in the smuggling of narcotics. The representative of the United States considered that if other countries adopted similar penalties this would greatly help in combating the illicit traffic. Smuggling by seamen constituted the largest source of drugs and, by 1 July 1953, the Secretariat would receive a long list of convicted seamen from the Government of the United States which should be immediately circulated to all governments, to prevent these men from getting other berths elsewhere.

87. It was noted that the Secretariat had not as yet received any lists, but the Commission decided that the Secretary-General's memorandum on the illicit traffic for the next session should contain a chapter on the illicit traffic by the crews of merchant ships.

ILLCIT TRAFFIC IN THE FAR EAST

88. The representative of the United States read excerpts from a document on the subject covering various aspects of the illicit traffic in narcotic drugs in the Far East which was distributed to the members of the Commission. The representative of the Union of Soviet Socialist Republics referred to a statement by the Ministry of Foreign Affairs of the People's Republic of China (E/2233) regarding the measures taken in the field of narcotics by the Government of the People's Republic and to a note (SOA 109/04)⁴ of 11 July 1952 containing a summary of the legislative acts regarding narcotic drugs of the People's Republic of China; he also made a statement on various aspects of the situation in that country.⁵

PROPOSAL OF BURMA RELATING TO THE CO-ORDINATION OF THE EFFORTS OF CERTAIN FAR EASTERN GOVERNMENTS TO SUPPRESS POPPY CULTIVATION AND THE SMUGGLING OF OPIUM

89. The Commission considered, at its 214th meeting, the note by the Secretary-General (E/CN.7/246) containing excerpts from the replies of Burma, China, India, Laos, Pakistan and Thailand regarding the proposal in question. After outlining his Government's policy to

⁴ Communicated by the representative of the USSR and transmitted by the Secretary-General of the United Nations to the members of the Commission.

⁵ See document E/CN.7/SR.212.

eliminate opium smoking, the Burmese Observer requested the Commission to continue to study the Burmese proposal. A member of the Commission stated that in the circumstances, the best solution of the problem of illicit poppy cultivation and the illicit traffic in opium would be for each government to strengthen its administration; that was particularly true at present in the case of Burma. On the proposal of the United States representative, the Commission unanimously decided *to postpone further consideration of the proposal of Burma relating to the co-ordination of the efforts of certain Far Eastern governments to suppress poppy cultivation and the smuggling of opium until its ninth session.*

List of Narcotic drugs under international control

90. The Commission examined a preliminary list of the basic narcotic drugs (E/CN.7/247) prepared by the Secretariat in accordance with resolution 49 (IV) of the Economic and Social Council. In response to an inquiry made during the course of the discussion, the Commission was informed that the international non-proprietary names selected by the World Health Organization Sub-Committee on Non-Proprietary Names of the Export Committee on the International Pharmacopoeia and those included in the first volume of the International Pharmacopoeia had been utilized in the list.⁶ The Commission decided *to request the Secretariat:*

- (a) *To complete the list of basic drugs;*
- (b) *To include therein, in addition to the scientific names, the synonyms for those names used in various countries in the licit and illicit traffic;*
- (c) *To send a copy of the preliminary list to the governments mentioned in the list for any corrections or additions that might be necessary.*

91. The Commission also considered the question of the list of preparations coming under the international narcotics treaties, the compilation of which the Secretariat had already begun in accordance with Council resolution 49 (IV). Several members emphasized the relatively great amount of effort that would be required not only to compile the list but also to keep it up-to-date and considered that its value was not proportionate to the effort involved. On the other hand, the opinion was expressed that the work would have both scientific and practical value. Although it was felt that if this work were to be abandoned, governments should be notified immediately since they were already engaged in collecting the data that had been requested by the Secretariat, it was pointed out that this could not be done until the Council had passed a new resolution to rescind its former request.

92. The Commission decided, by a vote of 11 to none, with 3 abstentions, *to recommend to the Council that the Secretariat should discontinue its work on the publication of the list of preparations and pharmaceutical specialties containing narcotic drugs.*

III. THE PROPOSED SINGLE CONVENTION ON NARCOTIC DRUGS⁷

The development of the draft treaty up to March 1953

93. In accordance with the Council's resolution 246 D (IX) the Commission continued its work on a single convention to replace the eight existing multilateral treaties for the control of narcotic drugs. At its fifth session it held a preliminary general discussion of the first draft (E/CN.7/AC.3/3) of the new treaty which the Secretariat had prepared. While owing to lack of time the Commission could not make a detailed examination of the proposed instrument during its sixth session, it was able, during its seventh session, to examine, in great detail, the provisions concerning the procedure for placing drugs under control, the classification of substances under control and the constitution and functions of the International Narcotics Commission, i.e. of

the policy organ which under the terms of the new treaty is scheduled to take over the functions of the present Commission on Narcotic Drugs. In accordance with the decisions (E/2219, annex C) taken by the Commission the Secretariat prepared a new draft of the relevant sections 2 to 13 (E/CN.7/AC.3/6).

Work of the Commission during its eighth session

94. The Commission devoted a great part of its time to the consideration of the draft convention⁸. It decided to continue considering the draft section by section, but to limit its present work to decisions on principles which would guide the work of revising that part of the draft which it had not examined at its seventh session. The Commission wishes to state that the numerous drafting changes suggested have been adopted as a means of expressing its views, which the language of the final text need merely reflect.

95. The Commission also decided that until it has examined all the provisions of the draft, the further revision of the text should be postponed in view of the interdependence of all the sections of the new convention.

96. To formulate the decisions which it would take in respect of the draft single convention during its eighth session the Commission appointed a drafting committee, composed of the representatives of France, India, Netherlands, United Kingdom of Great Britain and Northern Ireland, and Yugoslavia, and invited Mr. Herbert L. May, President of the Permanent Central Opium Board and of the Supervisory Body, to assist

⁶ The representative of the World Health Organization informed the Commission that the names most recently selected by that organization were as follows:

1. For 3-hydroxy-N-methylmorphinan and isomers:

	<i>Racemic form:</i>	<i>Isomers:</i>	
Latin:	racemorphanum	levorphanum	dextrorphanum
English:	racemorphan	levorphan	dextrorphan
French:	racémorphane	lévorphane	dextrorphane

2. For 3-methoxy-N-methylmorphinan and isomers:

Latin:	racemethorphanum	levomethorphanum	dextromethorphanum
English:	racemethorphan	levomethorphan	dextromethorphan
French:	racéméthorphane	lévométhorphane	dextrométhorphane

3. For N-allyl-normorphine:

Latin:	nalorphinum
English:	nalorphine
French:	nalorphine

⁷ For the decisions of the Commission during the eighth session see annex C.

⁸ See documents E/CN.7/SR.191 to 202, 205, 206, 219 and 220.

the Committee with his advice. The Drafting Committee held five meetings,⁹ under the chairmanship of Mr. A. Krusysse, representative of the Netherlands, and submitted a report (E/CN.7/L.43) to the Commission.

The principal problems discussed by the Commission

97. The Commission succeeded in submitting to a thorough scrutiny sections 14 to 29 and 34 to 36 of the draft dealing with:

1. The constitution and functions of the International Narcotics Control Board;
2. The Secretariat;
3. National Control Organs;
4. Control of the manufacture of narcotics;
5. Control of international trade in narcotics.

CONSTITUTION AND FUNCTIONS OF THE INTERNATIONAL NARCOTICS CONTROL BOARD

98. The Council will recall that it decided¹⁰ that provision should be made in the new convention "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".¹¹ After the Commission had considered, during its seventh session, its own position¹² under the new convention it reviewed the constitution and functions of the semi-judicial body which would be established under the new draft and would take the place of both the present Permanent Central Opium Board and Drug Supervisory Body. The Commission had, on an earlier occasion, proposed to call this semi-judicial organ the International Narcotics Control Board.¹³

Constitution of the International Narcotics Control Board¹³

THE APPOINTMENT AND DISMISSAL OF THE MEMBERS OF THE BOARD

99. While there was general agreement that all the members of the new semi-judicial organ or most of them should be appointed by the Economic and Social Council, as are the members of the Permanent Central Opium Board, there was some difference of opinion as to the rôle which the World Health Organization and the International Narcotics Commission should have in this connexion.

100. The draft which the Commission considered provides that the Economic and Social Council should elect seven of the nine members of the Board from a list of persons nominated by the Members of the United Nations and by Parties to the new convention, not Members of the United Nations, and the remaining two from a list of at least six persons nominated by the World Health Organization.

⁹ See documents E/CN.7/L.34, E/CN.7/L.36, E/CN.7/L.40-42.

¹⁰ See resolution 159 D (VII).

¹¹ See also E/799, page 23, and E/1361, page 32. The representatives of Poland and the USSR again stated that there should not be more than one control organ.

¹² I.e., the "International Narcotics Commission" (the name proposed by the Commission for the new convention) and subsequently referred to as "Narcotics Commission".

¹³ Subsequently referred to as "the Board".

101. It was pointed out that the World Health Organization at present appoints two members of the Drug Supervisory Body, i.e., one of the two organs to be replaced by the new Board, that, in the opinion of the representative of the World Health Organization, outstanding personalities would not permit their names to be submitted to the Economic and Social Council unless they can have a reasonable expectation of being elected and that it would accordingly be more appropriate either to authorize the World Health Organization to appoint two members of the Board or at least to reduce the number of persons to be nominated by the World Health Organization.

102. It was stated on the other hand that the new Board would perform much more important functions than the present Drug Supervisory Body since it would combine the functions of that Body with those of the Permanent Central Opium Board. It would also become more difficult for the Economic and Social Council to elect the members of the new Board on the basis of an adequate geographical distribution if two of the nine members of the Board were directly appointed by the World Health Organization. Furthermore, if prominent personalities were to refuse nomination by the World Health Organization because they would risk being rejected by the Economic and Social Council, the same would hold true for candidates nominated by governments.

103. The view was also expressed that the World Health Organization should not be in a position to nominate candidates for membership on the Board because some States which would be Parties to the new Convention might not be members of the World Health Organization.

104. The Commission decided that reduction of the minimum number of persons from six to three to be nominated by the World Health Organization for election by the Council of two members of the Board would establish an appropriate compromise of the differing views presented by members of the Commission.

105. The Commission also considered which, if any, part the Narcotics Commission should have in the election of the members of the Board. It was mentioned, in this connexion, that the Narcotics Commission would be in a much better position to evaluate the technical qualifications of candidates than the Economic and Social Council.

106. Several proposals were made in this connexion:

(a) The Narcotics Commission should appoint one member of the Board. It was pointed out, in this connexion, that the Commission has appointed a member of the Drug Supervisory Body and that this has worked very satisfactorily.

It was on the other hand stated that this precedent does not apply because the new Board would discharge the functions both of the Permanent Central Opium Board and of the Drug Supervisory Body, and the functions of the Permanent Central Opium Board are the more important ones and all its members are at present appointed by the Economic and Social Council.

(b) In addition to the lists of candidates submitted by governments and the World Health Organization, the Narcotics Commission should submit the name of one candidate or a list of candidates. These candidates should either be representatives of members of

the Narcotics Commission or outsiders fulfilling the requirements for members of the Board.

One proposal suggested that the Economic and Social Council should appoint one of the candidates proposed by the Narcotics Commission. Other members of the Commission held that the Economic and Social Council should, in its discretion, be able to disregard the list submitted by the Commission.

(c) There should be no provision that the Narcotics Commission submit a list of candidates; but there should be a requirement that among the seven members of the Board appointed from a list of candidates nominated by governments, there should be at least one representative of a member of the Narcotics Commission.

107. The view was expressed that there would be an incompatibility between the position of a representative of a member of the Narcotics Commission which is based on governmental representation, and that of a member of the Board which would be composed of experts independent of their governments. It would also be hard to conceive of a subsidiary organ of the Economic and Social Council such as the Narcotics Commission electing one or two members of the Board while the remaining members are appointed by the Council itself.

108. It was also held that it would not be necessary for the Narcotics Commission either to elect a member of the Board or to submit names of candidates to the Economic and Social Council in order to exercise some influence on the election of the members of the Board. The representatives of members of the Narcotics Commission would, at any rate, be in a position to advise their governments on the technical qualifications of the candidates, the names of which would be submitted to the Economic and Social Council.

109. The Commission did not find it necessary that the new Convention should provide that the Narcotics Commission should either elect a member of the Board or submit a list of candidates to the Economic and Social Council. It considers, however, that it is of the greatest importance to ensure close liaison and co-operation between the Narcotics Commission and the Board and decided to this end that the revised draft should authorize the Narcotics Commission to elect the representative of one of its members to attend the sessions of the Board as an observer.

110. While the Commission approved the idea expressed in the present draft that there should be a procedure for removing members of the Board who do not fulfil the conditions required for membership, it held that a provision should also be added to the effect that a member of the Board who fails to attend sessions during a full calendar year or is absent from four sessions during his term of office should automatically be considered to have resigned.

PERSONAL QUALIFICATIONS AND RIGHTS OF THE MEMBERS OF THE BOARD

111. There was general agreement that the members of the Board should be chosen on the basis of as wide a geographic distribution as would be compatible with the requirements of the highest personal standards.

112. Although the Commission holds that it would generally be undesirable that there should be more than one national of any country among the members

of the Board, it rejected a proposal to include a provision to this end in the new convention. The existing narcotics conventions do not contain such a prohibition. The Commission thinks that the new convention should not preclude the possibility of two nationals of the same country serving on the Board if this were necessary in exceptional circumstances in order to ensure the highest possible personal standards.

113. The Commission agreed that it would be necessary that the members of the Board as a whole should collectively possess a thorough knowledge of the drug situation in countries which either produce the raw materials from which the "natural" narcotics are made or which manufacture narcotic drugs, as well as in countries which import the narcotic drugs they need. It did not, however, accept the view that the members in question would have to be nationals of the countries concerned. The Commission holds that it will, in any case, be very difficult to select a group of persons which would be properly balanced from the geographic, as well as the technical point of view. It is, therefore, desirable to leave to the electoral body sufficient discretionary powers.

114. For the same reason the Commission did not accept a proposal that at least two members of the Board should be physicians. It realizes that it is desirable that the membership of the Board as a whole should have the necessary medical knowledge; but this would be assured by the fact that two members would be elected from a list of three persons nominated by the World Health Organization. The Commission holds, however, that knowledge of law, statistics, and national, as well as international control of narcotics, is equally important for the work of the Board.

115. The Commission approved of the provision of the present draft according to which the members of the Board would obtain an adequate remuneration.

116. The Commission considers it necessary that the convention should provide for such privileges and immunities as the members of the Board would need for the independent exercise of their functions. This necessity results from the fact that the members are neither representatives of governments nor officials of the United Nations and are consequently not covered by the legal provisions applicable to representatives of Members of the United Nations or to such officials. Members of the Board would, under the terms of the new convention, frequently be called upon to perform functions in territories of States which might not be Members of the United Nations. Provision would also have to be made for an authority to waive immunities and privileges of members of the Board.

117. The Commission considered three possible methods of defining the immunities and privileges:

(a) By a general definition patterned after Article 105, paragraph 2 of the Charter of the United Nations;

(b) By a reference to article IV of the Convention on the Privileges and Immunities of the United Nations;

(c) By enumerating the privileges and immunities.

118. The Commission took note of the views of the Legal Department of the United Nations Secretariat according to which the methods referred to under (b) and (c) would be preferable.

119. The view was expressed that the matter should be settled in such a way as to enable governments to

apply their existing legislation on the subject to members of the Board. The question would, therefore, require further study.

120. The Commission holds that in principle the members of the Board should have diplomatic privileges and immunities. It decided, however, that the method of defining them and other details should be settled at a later stage.

MEETINGS OF THE BOARD, DELEGATION OF AUTHORITY AND VOTING

121. The Permanent Central Opium Board is not in permanent session nor is it foreseen that the new Board would meet all the year round. Experience has shown, and the provisions of the existing conventions, as well as of the new draft, make it necessary that the Permanent Central Opium Board or the new Board respectively should perform functions while not in session. It is the present practice of the Permanent Central Opium Board to delegate certain of its functions to its secretariat which in appropriate cases consults the members by cable or mail. The draft of the new convention contains provisions authorizing the delegation of powers to one or several members of the Board or its secretariat and permitting voting by mail or "other appropriate means of communication". The Permanent Central Opium Board and Drug Supervisory Body had expressed the view (E/CN.7/AC.3/5, p. 90) that these provisions are unnecessary and that appropriate provisions could be included in the new Board's rules of procedure. The Commission is not convinced that these provisions of the draft are necessary to secure the legality of decisions adopted on delegated authority or by consultation of members between sessions and decided, therefore, to delete them.

122. The Commission also decided that the new convention should expressly provide that the Board should meet at least twice annually.

Functions of the Board

123. The Commission holds that it is impossible to foresee all contingencies in which it would be desirable that the Board should take action. It decided, therefore, that the draft should contain a clause authorizing the Board to perform other functions than those expressly enumerated if necessary or useful for the application of the new convention.

THE ESTIMATE SYSTEM

124. The estimate system as developed in the draft differs in important matters from the relevant provisions of the Convention of 1931 for limiting the manufacture and regulating the distribution of narcotic drugs.¹⁴

(a) The 1931 Convention enumerates the items on which governments are required to furnish estimates. The draft leaves it to the discretion of the Board to determine these items.

(b) The 1931 Convention fixes the date by which the estimates should reach the Permanent Central Opium Board.

(c) The 1931 Convention does not permit the Drug Supervisory Body to amend the estimates except with the consent of the government concerned. The draft would permit the Board to make such amendments

"after consultation with the government concerned" and "in accordance with any information or details so obtained".

125. The decisions which the Commission has taken in respect of the estimate system reflect its view that some of the proposed changes represent unnecessary deviations from principles of the 1931 Convention which have well stood the test of time. The Commission holds, in particular, that it is unnecessary to give the Board the right to amend estimates without the consent of the government concerned. It is in this respect in agreement with the views expressed by the Permanent Central Opium Board and Drug Supervisory Body, that such a right "would not in reality strengthen the position of the Board but would give it a responsibility far exceeding its real powers" (E/CN.7/AC.3/5, p. 169).

126. The Commission also holds that the new Convention should enumerate the items on which governments would be required to furnish estimates. The Commission realizes, however, that the development of scientific, technical, and other conditions may make it necessary to change or add to these items. The Commission considered whether the Board or the Narcotics Commission should be given the authority to make these changes. It decided that the latter organ should be authorized on recommendation by the Board to amend the list of estimates which would be included in the new convention. Such a decision of the Narcotics Commission would be subject to review by the Economic and Social Council in accordance with the provisions of article 11 of the draft as revised by the Commission (E/CN.7/AC.3/6). The Commission holds that it is more appropriate to entrust the Narcotics Commission, an organ composed of government representatives, than the Board, a semi-judicial organ, with functions of a legislative nature.

127. The Commission believes that the Board should be given power to fix the date by which the estimates should be furnished by governments. It holds that the Board must have this power although no corresponding authority is provided in the 1931 Convention. This convention applies to manufactured drugs while the new convention may well also apply to raw materials such as opium, coca leaves and Indian hemp. The harvesting time of, e.g., opium is not uniform throughout the world but depends on the climate.

128. The Commission gave considerable thought to the proposal of the Permanent Central Opium Board and Supervisory Body that "an annual time limit should be laid down after which supplementary estimates would not be entertained" (E/CN.7/AC.3/5, p. 169). It believes, however, that practical experience of national narcotics administrations has shown that such a time limit would be impracticable. Several elements, e.g., epidemics which determine the requirements of narcotic drugs are unpredictable.

129. The Commission decided to obtain the views of the Permanent Central Opium Board on proposed redrafts of the provisions concerning estimates.¹⁵ These redrafts are intended to incorporate the decisions taken by the Commission.

STATISTICS

130. The Commission, at its seventh session, had decided that a detailed list of the statistical items which

¹⁴ Subsequently referred to as "1931 Convention".

¹⁵ See annex C.

governments would be required to furnish should be included in the text of the new convention.¹⁶ Draft provisions¹⁵ were proposed to the Commission during its eighth session which would establish such a list and at the same time provide that governments transmit these statistics to the Board. The Board would be authorized to request governments to supply additional information if necessary to supplement or explain the statistics furnished. The periods within which governments would be held to transmit the various statistics would be somewhat longer than those of article 22 of the International Opium Convention of 1925. The Commission decided to obtain the views of the Permanent Central Opium Board on the draft provisions.

ENFORCEMENT MEASURES

131. Several members of the Commission held that the discussion of the enforcement measures which the Board would be authorized to take under the terms of the new convention should be postponed. They pointed out that the United Nations Opium Conference which was scheduled to convene on 11 May 1953 would consider substantially the same problems.¹⁷ An embarrassing situation might develop if the Commission instructed the Secretariat to redraft the new convention in terms which might be different from those adopted by a general international conference only a few weeks later. It would, in addition, be very useful for the Commission to know the views of the great number of States which will probably be represented at the Opium Conference, when it considers this important problem. Against this, it was argued that the forthcoming International Opium Conference was dealing with a much more limited subject matter than the draft single convention. Furthermore, the views which members of the Commission would express, would frequently be given in their capacity as experts and not necessarily commit their governments.

132. The Commission decided, in the light of this discussion, to proceed with the consideration of the provisions relating to enforcement measures at its present session.

133. The Commission considers that the main force behind the international control of narcotic drugs is the *bona fides* of the contracting States and the power of public opinion. It believes therefore that the Board should be in a position to enlist this power whenever necessary. The new Board should, however, in extreme cases, also be in a position to exercise a certain degree of economic pressure in the field of the narcotic drugs trade. The Commission decided that the new convention should provide for both export and import embargoes.

134. Several members of the Commission criticized the provisions of the draft concerning enforcement measures on the following grounds:

(a) In general they give the Board unnecessarily greater powers than the Permanent Central Opium Board has under the present conventions or at least the increase in power goes too far.

(b) Although it is conceded that the reasons for which enforcement action can be taken under the present conventions are too narrow, the draft single Conven-

tion goes too far in the opposite direction and the reasons therein set out should be more closely defined.

(c) The Board would, under the new convention, be in a position to interfere with the domestic administration of the narcotic drugs control.

(d) The present enforcement system offers better procedural guarantees than the draft.

(e) In the case of drug embargoes no provision is made for the needs of the sick.

135. The discussion in the Commission and decisions taken on these points were as follows:

(a) Several members of the Commission held that the present enforcement system is satisfactory and should not be changed. The Commission as a whole did not share this view. It adopted, however, several decisions which would reduce considerably the powers of the Board as proposed in the draft and would re-introduce several features of the existing system.

(b) In view of the criticism voiced by some members, the Commission decided on some drafting changes which, in its opinion, would ensure that even preliminary measures intended to clarify the situation before actual enforcement measures are taken would be adopted only if the Board has reasons to assume that there is a substantial failure to live up to the provisions of the new convention. The Commission also limited the right of the Board to announce its intention of imposing an embargo or to impose an embargo to cases in which excessive quantities of drugs are accumulating in a country, where there is a danger of a country becoming a centre of the illicit traffic, where a country exceeds its estimates, or fails seriously to carry out its obligation in such a way as to benefit largely the illicit traffic.

(c) It was pointed out that the provisions of article 24 of the International Opium Convention of 1925 providing for enforcement measures were introduced by a clause establishing the responsibility of the Permanent Central Opium Board to watch continuously the international drug trade and that all provisions of that article should be read in the light of this clause. Accordingly, enforcement measures could at the present time not be taken in order to interfere in matters of domestic administration or trade. It was, in particular, stated that the Board should not be authorized to prescribe to a government the size of the drug stocks which it may hold. It was also, in particular, proposed that the revised text should ensure that the embargo procedure should not be used for interference in domestic matters.

136. Other members of the Commission expressed, however, the view that weaknesses or at least considerable weaknesses of domestic control of narcotic drugs are never a purely domestic matter, but are of international concern.

137. The Commission believes that the decisions it took to limit the actions of the Board to more serious failures to carry out provisions of the new convention, to restrict, in particular, embargo action to closely defined contingencies and finally to improve the procedural guarantees which States would have, should eliminate any fears that the Board would interfere in domestic matters, even though such fears were justified.

138. Strong objections were raised to the provision of the draft which would authorize the Board to send a person or committee of inquiry to any country or territory if the Board has reasons to assume that such a

¹⁶ See E/2219, p. 22; see also article 13(d) in document E/CN.7/AC.3/6.

¹⁷ See E/2186, annex I, section 12.

local inquiry would contribute to the elucidation of the drug situation and if the government concerned does not object to the inquiry within a period set by the Board. Such a provision, it was asserted, impinges on the principle of national sovereignty. It would be inconceivable that a State would agree to the interference of such an inquiring official or supranational committee in matters affecting solely its own administration of narcotic drugs. It was also pointed out that such a provision would perhaps be less objectionable if the local inquiry would be limited to more serious cases of illicit traffic. Furthermore, a government may refuse to admit a local inquiry for reasons which would be entirely unrelated to the control of narcotics. In such a case it might falsely appear that the government concerned has failed to live up to its commitments under the new narcotics convention. The institution of a local inquiry would also not fulfil the purpose which it is intended to serve, because a government which was determined not to observe the provisions of the new convention would certainly not admit the inquiry.

139. Efficient control of narcotic drugs can only be achieved by efficient national control authorities. Close international co-operation between national authorities would be the appropriate means to achieve the aims which the establishment of a "local inquiry" or a similar interference of international organs would never be able to accomplish.

140. It was on the other side asserted that a system of international inspection would very usefully supplement the existing system of international control of narcotics. The proposed "local inquiry" would at least represent some kind of compromise between those who favour a system of international inspection and those who object to it because it would be inconsistent with the idea of national sovereignty. It was, in addition, pointed out that the proposed institution of a local inquiry would not be incompatible with the principle of national sovereignty because each individual inquiry would require the consent of the government concerned.

141. The Commission decided to retain the provision concerning the local inquiry. It amended, however, the draft to the effect that local inquiries would not be permitted unless the government concerned gives its express consent and that the failure of a government to reply within four months to the Board's proposal of a local inquiry should be considered as refusal to consent.

(d) Several proposals were made to amend the procedure which the Board should apply when taking the enforcement measures provided for in the draft.

142. It was pointed out that the enforcement measures listed in the draft are arranged by their degree of severity and it was proposed that the Board should take them in the sequence in which they appear in the draft, thus assuring that a more serious measure is not taken unless a less severe measure has proved to be ineffective. It was stated in this connexion that such a rigid provision would considerably impede the Board's work.

143. The Commission did not adopt this proposal. It took, however, a decision that the Board should always announce its intention to impose an embargo before it actually does so, and thus give the offending country an opportunity to improve its drug situation and to render in this way the embargo unnecessary.

144. The Commission is aware of the criticism made to the effect that the requirement of a prior announcement would seriously weaken the institution of the embargo. It wishes, however, to point out in this connexion that the revised draft will permit the Board not only to impose a mandatory embargo binding upon governments, but also to recommend embargoes and that such recommendations would not be subject to the requirement of prior announcement.

145. The Commission also decided that the mandatory embargo should be imposed only if lesser measures have failed to or were unlikely to achieve the desired results.

146. The Commission met also the criticism of the existing draft by requiring that before enforcement measures could be taken the State directly concerned should be given an opportunity to be heard. This provision would not apply to cases in which the Board limits itself to requesting explanations or to calling confidentially the attention of a government to the matter.

147. It was also decided that all decisions of the Board concerning enforcement measures even if only explanations are requested should be taken by an absolute majority of all its members.

148. The Commission gave much consideration to the question whether the revised draft should permit an appeal against the imposition of the mandatory embargo, i.e., of the embargo which would be binding upon governments.

149. It recognizes that the appeal procedure would be somewhat cumbersome and would have undesirable delaying effects. It holds, however, that provision for a mandatory embargo, although intended only for extreme cases, would strengthen international control of narcotics; but that if the new convention should provide for such an embargo, it seems necessary that governments should have sufficient procedural guarantees including the right of appeal. The Commission believes it has met some of the objections to the appeal procedure by providing that the Board should have the right to recommend embargoes for the reasons for which the Permanent Central Opium Board may do so in accordance with the existing conventions and that governments should not permit exports of drugs which would exceed the estimates of the importing countries (so-called "automatic embargo"). The "automatic embargo" would not be subject to the appeal procedure. It is believed that such recommendations would be made only in respect of offences which would be very serious, though less grave than those for which the provision of a mandatory embargo is intended.

150. The Commission considered whether the appeal should be made to the Economic and Social Council or to a permanent appeal body appointed either by the Council or by the International Court of Justice. Since it wished to emphasize the judicial character of the appeal procedure and to exclude political influences or considerations, it decided that the appeal body should be appointed by the Court.

151. No agreement was reached on the suspensive effect which the appeal should have. The Commission decided therefore that the revised draft should contain the following alternative provisions:

Appeals should bring about automatic suspension of the embargo;

The Chairman of the Appeal Body should be authorized to suspend the embargo pending the appeal decision;

The Appeal Body as a whole should in exceptional cases be able to order, on the express request of the government concerned, the "temporary" suspension of the embargo.

(e) The Commission took also decisions to protect the interests of the sick whenever an embargo would be imposed because the estimates of an importing country have been exceeded, as well as in the case of the "automatic embargo".

The Secretariat

152. The Commission took decisions which were intended to implement its decision adopted during its fifth session that the Board should have a separate secretariat (E/1889/Rev.1, para.144). It took note of the opinion of the Legal Department of the United Nations Secretariat on the relationship of the secretariat of the Permanent Central Opium Board to the Secretary-General. It holds the view that the provisions of the English and French versions of article 20 of the 1925 Convention concerning the secretariat of the Board should be incorporated in the revised draft and that the provisions of this article concerning the full technical independence of the Board should be inserted elsewhere, perhaps in connexion with the provisions of the present section 14 of the draft. The secretariat of the Commission, on the other hand, should form an integral part of the United Nations Secretariat.

National control organs

153. The provisions of the draft requiring that each country should have a special narcotics administration as well as a central office to deal directly with the competent authorities of other countries were criticized on the ground that they represent unnecessary interference in internal affairs. It was, however, pointed out that these provisions reproduce article 15 of the 1931 Convention and articles 11 and 12 of the Convention of 1936 for the Suppression of the Illicit Traffic in Dangerous Drugs. It was pointed out that the term "special narcotics administration" does not imply that governments are required to set up a "single narcotics office" to carry out all tasks concerned with the control of narcotics however desirable that may be. Constitutional institutions of several countries would not permit the establishment of a single office for the above purposes. What is required is the establishment of some form of special organization to ensure the collaboration of all domestic agencies concerned with narcotic drugs as well as close international co-operation of the authorities concerned. The Commission holds that the existing provisions have proved very valuable in encouraging governments to establish special administrations and direct international co-operation of the agencies concerned. It decided therefore that the new draft should contain the relevant provisions of the 1931 and 1936 Conventions.

Control of the manufacture of narcotics

154. The draft stipulates that licensed manufacturers of narcotic drugs should be required to obtain periodical permits specifying the kinds and amounts of drugs which they would be entitled to manufacture in the period in question. A corresponding provision is not

included in the existing conventions, but occurs in national laws and regulations. The Commission believes that such a requirement is useful for the execution of the provisions concerning the limitation of narcotic drugs to medical and scientific needs and should, therefore, be retained in the draft. The provision should, however, be limited to the manufacture of narcotic alkaloids and synthetics other than codeine and similar less dangerous drugs falling into the same category.¹⁸

155. The draft requires manufacturers to make narcotic drugs, if feasible, in accordance with national and international standards and to furnish them with standard wrappings, labels and inscriptions, if feasible, in accordance with international rules. It is provided that the international standards and rules would be established by the World Health Organization. In the discussion of this draft provision, it was pointed out that the World Health Organization possesses, under its constitution, authority to adopt regulations concerning standards with respect to the safety, purity and potency of pharmaceutical products moving in international commerce, and their labelling. Such regulations are binding upon a member of the World Health Organization, unless the member rejects them within a specified period. It was also mentioned in this connexion that the World Health Organization, in connexion with its work on the International Pharmacopoeia, is adopting international non-proprietary names for narcotic drugs.

156. The Commission considers that this provision of the draft is impractical under the present conditions. It decided that the new convention should instead contain a provision according to which governments would undertake to consider favourably for acceptance recommendations which the World Health Organization may make in respect of standard wrappings, labels, and inscriptions, international non-proprietary names and international standards.

157. It should, however, also be provided that governments should not be required to prescribe a reference to a narcotic drug on external wrappings of packages containing narcotic drugs or to prevent manufacturers from using their own distinctive labels. Provision should also be made to achieve the objects of article 19 of the 1931 Convention.

158. The Commission also adopted decisions to ensure that several provisions of the 1931 Convention intended to achieve limitation of the manufacture of narcotic drugs to medical and scientific needs should be included in the new convention.

Control of the international trade in narcotics¹⁹

159. The Commission approved in general the provisions of the draft which were intended to reproduce the stipulations of the International Opium Convention of 1925 concerning the international trade in drugs. It decided that the revised draft should contain all the changes which are consequential to its decision adopted at its seventh session to eliminate the provisions relating to an "International Clearing House" (E/2219, p. 10).

160. It also rejected a proposal contained in the draft that an export consignment of drugs should be accom-

¹⁸ See schedule II of E/CN.7/AC.3/6.

¹⁹ See also section on the co-operation with the Universal Postal Union, (paragraphs 199-202 below).

panied by a copy of the import authorization. Such a provision would have been new. The Commission maintained, however, the existing requirement that such a consignment should be accompanied by a copy of the export authorization.

161. The Commission considered whether the provisions of the International Opium Conventions of 1912 and 1925, requiring governments to limit the number of towns, ports or other localities through which the export of raw opium or coca leaves would be permitted, should be maintained or even extended to all narcotic drugs. The Commission held that such a provision is not necessary under the present conditions.

IV. ABOLITION OF OPIUM SMOKING IN THE FAR EAST

Examination of the reports submitted by governments

164. The Commission examined certain reports (E/CN.7/244, Add.1, Add.2, Add.3) of governments for the years 1950, 1951 and 1952 that had been transmitted to the Secretary-General during the past year in accordance with resolution 159 II B (VII) of the Economic and Social Council concerning the abolition of opium smoking in the Far East.

165. The representative of the United States drew the attention of the representative of Thailand, who was present as an observer, to the absence of reports from his Government; in view of the fact that Thailand had become a centre of international illicit traffic in narcotic drugs, the observer was requested to convey to his Government the Commission's desire to have available information on the situation in Thailand.

166. Proposals by the representative of the Union of Soviet Socialist Republics to delete the reports by the Government of China for 1950 and 1951 on the ground that this Government was not the legal Government of China and thus had no right to submit reports were rejected by the Commission by votes of 10 to 3, with 1 abstention.

167. With regard to the report of Burma for 1951, it was pointed out that thirteen tons of opium had been seized in Burma during 1951 and that at least a part of that large quantity had doubtless originated outside the country.

168. Satisfaction was expressed with the situation in Cambodia where the State Monopoly would stop opium sales on 31 December 1953, and with the situation in Pakistan, where the Ministry of Finance had written a circular-letter to the various State governments stressing the need for complete prohibition of opium smoking without any exception whatsoever.

169. Various members of the Commission asked questions regarding the report of the Government of India for 1951. In reply to a query concerning the continuing possibility of registering additional opium smoking addicts in four Indian States, the representative of India remarked that in two of the States, there were no addicts at all, that in a third the figure for 1951 was identical to that for 1950, and that there were no comparable figures available for the fourth State. The Commission heard that the policy of the Government of India against opium smoking remained unchanged, but that in view of a certain degree of legislative autonomy

162. The Commission decided that the two recommendations which the Opium Advisory Committee of the League of Nations had made and which were included in the Model Administrative Code to the International Opium Convention of 1925,²⁰ should be inserted in the new convention, i.e., that a consignment unaccompanied by a copy of the export authorization should be seized and that export shipments to a post office box or to a bank to the account of a third party should be prohibited.

163. The Commission wishes to state in this connexion that it is not opposed to shipments to a bank as long as this is done to the account of the person named as importer in the import authorization.

it sometimes took time for this policy to be reflected fully in the legislation of the various States. Meanwhile, there were only about 3,000 registered addicts throughout the country, and the situation was thus better than in many other parts of the Far East.

170. The Commission took note of the reports on opium smoking by a vote of 11 to 2 with 1 abstention.

Inclusion of the information on abolition of opium smoking in the annual report

171. The Commission also considered a draft resolution on this subject (E/CN.7/243) which the Secretariat had prepared in accordance with a request made by the Commission at its previous session.^{20a}

172. This resolution, which resulted from the Commission's opinion that the present system was inadequate, provided that the relevant information should henceforth be embodied in the annual report which governments submitted in accordance with article 21 of the 1931 Convention or article 21 of the 1912 Convention.

173. During the discussion on the draft resolution, the representative of France proposed that a clause should be added to the preamble, drawing attention to the fact that the continued legal existence of opium smoking could no longer be justified and that henceforth no excuse for its continuance would be acceptable. The Commission approved this amendment, although one or two representatives expressed the opinion that the phraseology employed was inconsistent with the situation in certain countries which had accepted the principle of abolition and had forbidden opium smoking except among a small and steadily-decreasing group of registered addicts.

174. After making certain other modifications, the Commission decided by a vote of 11 to 1, with 2 abstentions, to recommend that the Council adopt the following resolution:

ABOLITION OF OPIUM SMOKING

The Economic and Social Council,

Having considered the findings of the Commission on Narcotic Drugs with regard to the implementation of Council resolution 159 II B (VII),

Noting the legislative and other progress that has been made in certain areas towards the abolition of opium smoking,

²⁰ See C.744.M.365, 1932, XI., page 22.

^{20a} See document E/2219-E/CN.7/240, para. 121.

Mindful of resolution 593 (VI) of the General Assembly and Council resolution 450 (XIV),

Desiring to simplify the task of governments in carrying out their obligations in respect of the international control of narcotic drugs,

Considering that no good reason can be adduced to justify the continued legal existence of opium smoking and that no excuse can henceforth be regarded as acceptable in this field,

Repeats its invitation to all countries in which opium smoking is still practised to suppress this evil as speedily as possible,

V. THE PROBLEM OF INDIAN HEMP (CANNABIS)

176. For the first time in several years, the Commission discussed the question of Indian hemp, and several representatives took advantage of the opportunity to furnish the Commission with information on the situation in their respective countries. The representative of France reported that several important laws and regulations prohibiting Indian hemp even for medical purposes had been promulgated recently or were being drafted. On 27 March 1953, a decree had been passed prohibiting the import, export, production, trade in and use of Indian hemp and the galenical preparations containing it in France and Algeria. A law banning the sale of kif was being drafted in French Morocco, and the Government Tobacco Monopoly had received orders to suspend the sale of this Indian hemp preparation as of 1 April 1953. As regards Tunisia, a series of measures beginning in 1927 with the suppression of chira had culminated in the issuance of a decree by the Bey of Tunis prohibiting the cultivation, harvesting, production, distribution, sale, import, and export of Indian hemp and its preparation, takrouiri; cultivation of the plant for fibre, however, was still permitted under licence. The Commission was warned that the illicit traffic might increase as a result of these measures, and that there were already reports that Indian hemp was entering French Morocco from the Spanish zone.

177. The representative of Canada informed the Commission that while the consumption of galenical preparations of Indian hemp was still permitted in his country under strict control, their use by the medical profession was very slight. The illicit traffic in the drug seemed to be rather insignificant, with only a few individual cases of the smoking of marihuana cigarettes having been detected in recent years.

178. The representative of the United Kingdom stated that the smoking of Indian hemp was still a new and relatively minor problem in his country which had only assumed some importance since 1945. The habit was confined chiefly to small and largely immigrant sections

Requests governments henceforth to include the information on the abolition of opium smoking solicited by Council resolution 159 II B (VII) in the annual report which each of them transmits to the Secretary-General in accordance with article 21 of the Convention of 1931 for limiting the manufacture and regulating the distribution of narcotic drugs or article 21 of the International Opium Convention of 1912.

175. The Commission also expressed the desire that when this resolution should be sent to governments the complete text of Council resolution 159 II B (VII) should be included in the accompanying note.

of the population, and only small seizures of the drug had been effected.

179. The representative of Egypt called the Commission's attention to a new law which had been promulgated by his Government in December 1952 and which it was hoped would have the effect of reducing the number of addicts.

180. The representative of the World Health Organization and other members of the Commission referred to the comprehensive report on the abuse of dagga (Indian hemp) in the Union of South Africa, which had been prepared by an inter-departmental committee of the Government of that country. The Commission noted with appreciation the statement of the representative of the World Health Organization on the problems in this field. The Secretariat will request the delegation of the Union of South Africa to supply additional copies of the report to be forwarded to the members of the Commission.

181. There was a consensus of opinion in the Commission that the term "Indian hemp" should be replaced by the term "cannabis" as proposed by the representative of the World Health Organization.

182. The Commission examined a paper prepared by the Secretariat (E/CN.7/256) which contained a brief résumé of the present situation with regard to Indian hemp and the difficulties created by it and proposed a programme of factual studies which might be useful in formulating new international control measures. The Commission decided that *an additional study on the physical and mental effects of the use of Indian hemp should be added*, and the representative of the World Health Organization indicated that his organization, if requested so to do, would be very glad to consider the possibility of making such a study.

183. The Commission decided to *approve the programme of studies outlined in document E/CN.7/256 and to request the Secretariat to carry them out in consultation with the Food and Agriculture Organization and the World Health Organization wherever appropriate*.

VI. THE PROBLEM OF THE COCA LEAF

184. Although the absence of the representative of Peru was drawn to the Commission's attention at the beginning of the session and subsequently the discussion of the question of Peruvian exports of coca leaves was delayed in order to allow the Peruvian delegation to provide for representation of this country on the Commis-

sion, to the regret of the Commission no representative of Peru was present during the discussion of the coca leaf problem.

185. The Commission had before it a communication from the Ministry of Public Health and Social Welfare of Peru (E/CN.7/242/Rev.2) drawing its

attention to the unusually large quantity of coca leaves that had been exported by that country to manufacturing countries during the first half of 1952 and a note by the Secretary-General (E/CN.7/242/Rev.2/Add.1) containing certain statistical data relating to the question.

186. The representative of Canada referred to the fact that during the five years, 1947-1951, Bolivia and Peru had exported more than 1,250,000 kilogrammes of coca leaves to Argentina for chewing purposes and pointed out that according to the report of the Permanent Central Opium Board for 1952 (E/OB/8) there seemed to be a discrepancy as regards the figures for utilization of coca leaves for manufacturing cocaine and their export by producing countries during the years 1950 and 1951. The exports of coca leaves by Peru to the manufacturing countries without taking into account those of Bolivia and Indonesia were more than the total world utilization for each of those years. He, accordingly, considered that the Commission should

share the fear of the Peruvian Government that "the increased exports may be intended for purposes other than those named by exporters in their applications."

187. The representatives of France and the United Kingdom indicated to the Commission the quantities of coca leaves which their respective countries had imported during the years 1950-1952. Although the quantity of coca leaves imported by the United Kingdom had increased considerably in 1952, this increase had been substantially offset by the discontinuance of all imports of crude cocaine. The representative of the United States said that his country had not imported additional leaves for the manufacture of flavouring extracts since 1947. The representative of the Permanent Central Opium Board reported that the Board had noticed the increased purchases of coca leaves by drug manufacturers from Peru in recent years.

188. In view of the absence of the representative of Peru the Commission decided to *postpone further consideration of this matter until its next session*.

VII. THE PROBLEM OF SYNTHETIC DRUGS

189. The Commission postponed until its next session the substantive discussion of a paper entitled "The Problem of Synthetic Drugs" prepared by the Secretariat at its request (E/CN.7/259/Rev.1). The Commission considered that it was not able to examine the complicated and varied aspects of the questions raised in this document in the short time available. It also holds that it would facilitate the discussion at its next session if by that time it had at its disposal some of the studies proposed in the above-mentioned paper. It adopted, with minor amendments, by a vote of 13 to none with one abstention, therefore, a resolution proposed by the representatives of Egypt and France (E/CN.7/L.44) which calls for studies by the World Health Organization and the Secretary-General of the United Nations and invites governments to supply relevant information.

190. This resolution reads as follows:

THE PROBLEM OF SYNTHETIC DRUGS

The Commission on Narcotic Drugs,

Considering the increasing importance of the therapeutic use of synthetic drugs throughout the world,

Having regard to the considerable number of aspects which the problem presents,

Taking into account the report submitted by the Secretariat on the problem of synthetic drugs (E/CN.7/259/Rev.1),

Recommends that the Economic and Social Council should:

1. Invite the World Health Organization to undertake, in consultation with the United Nations Secretariat, studies on the following problems:

(a) The addictive properties and therapeutic advantages of synthetic narcotics as compared with natural narcotics;

(b) The status of scientific knowledge on the relationship between the chemical structure of a drug and its addictive properties;

(c) The relationship between the strongly analgesic qualities of a drug and its addiction-producing properties;

2. Invite governments which have acceded to the 1948 Protocol and other important drug-manufacturing countries to furnish the Secretariat with such information on the following subjects as they may have or be able to obtain from experts and drug manufacturers;

(a) The economy of manufacturing synthetic analgesics in general and synthetic opium alkaloids in particular as compared with the manufacture of natural narcotics from opium and from poppy straw;

(b) Their attitude towards the manufacture of synthetic drugs, even if this should be less economical or should not offer tangible therapeutic advantages;

(c) Their view on the provisional measures referred to in part II, section 2 of document E/CN.7/259/Rev.1 and on the applicability or inapplicability of the control measures referred to in part III;

(d) The advisability of prohibiting the use of synthetic drugs or limiting their number in view of the control problems involved, even if some limited disadvantages from the economic and therapeutic standpoint resulted therefrom.

3. Request the Secretariat to prepare forms for the use of governments in furnishing the above information.

4. Request the Secretariat to prepare compilations of the information so obtained and to submit them to the Commission for its consideration.

VIII. SCIENTIFIC RESEARCH ON NARCOTICS

191. The Commission studied a report prepared by the Secretariat (E/CN.7/258) summarizing progress that had been made during the past twelve months on the international programme of scientific research on opium.

192. The Commission was of the opinion that the international collaboration should be encouraged and that closer liaison between the Secretariat and the national scientists participating in the programme of scientific research would be valuable. The view was expressed by members of the Commission that liaison would be greatly facilitated if a member of the Secretariat were enabled to visit the scientists to discuss with them the work in progress, together with any future plans they might have.

193. In view of the fact that there was still much to be done in establishing methods for determining by chemical and physical means the origin of opium, the Commission considered a proposal that the Secretariat should discontinue the work of studying the assay of opium, in order to enable the personnel to concentrate on what seemed the primary task. It was pointed out that the laboratory work had been established for study of the origin problem, that the Commission had asked for special attention to the assay in connexion with the International Opium Monopoly which

was no longer contemplated, that it was extremely difficult to devise a standard method of assay which would be accepted, and that in view of the limited facilities of the Secretariat it would be best to concentrate all efforts on the origin problem.

194. On the other hand, attention was drawn to the fact that the origin determinations were largely based on the percentages of morphine and other opium alkaloids in the samples, that the problems of assaying opium and determining its origin were closely inter-related, and that it was thus very difficult to separate the two fields of study. The opinion was also expressed that it would be untimely to alter the scope of the programme at the present time in view of the resolution of 10 April 1953 of the Economic and Social Council²¹ requesting the Secretary-General to appoint a committee of three experts to evaluate the work already done and expressly deferring a decision regarding changes in the existing arrangements.

195. In view of these considerations, the Commission decided not to take a formal vote on the above-mentioned proposal, but requested the Secretariat to give precedence to the task of establishing the origin of opium and, in doing so, to be guided by the discussion in the Commission. The Commission took note of the paper on scientific research on narcotics (E/CN.7/258) by a vote of 11 in favour, 2 against and 1 abstention.

IX. OTHER QUESTIONS

Appointment of a member of the Supervisory Body

196. Before making the appointment, the Commission decided by the unanimous vote of the thirteen members present to confirm the recommendation it had made at its third session that the term of office of the members of the Supervisory Body should be extended to five years (E/CN.7/250/Rev.1).

197. The United States representative supported by the representatives of Mexico, France and Turkey proposed the reappointment of Colonel C. H. L. Sharman, C.M.G., C.B.E., I.S.O., who had been appointed by the Commission as a member of the Supervisory Body for the last five-year period expiring in May 1953.

198. At its 203rd meeting the Commission decided by 12 votes to reappoint Colonel Sharman to the Supervisory Body for a further period of five years.

Co-operation between the United Nations and the Universal Postal Union in respect of control of narcotic drugs

199. The Commission studied the memorandum submitted to it by the Secretary-General at its seventh session concerning co-operation between the United Nations and the Universal Postal Union in the international control of narcotic drugs (E/CN.7/239). In particular, it considered the various questions relating to the control of the international shipment of narcotic drugs by post raised in paragraph 4 of the memorandum. The Commission also took note of the Secretary-General's memorandum regarding the XIIIth Universal Postal Congress held in 1952 (E/CN.7/245). With a

view to guiding the Secretariat in the preparation of the proposed single convention the Commission expressed its views on the measures of control referred to in paragraph 4.

200. The Commission considered that the international shipment of narcotic substances by letter post should continue to be prohibited. By 9 votes to one, with 4 abstentions, it expressed the view that the international shipment of narcotic substances by post in boxes or parcels should, as at present, be permitted to countries which allowed the use of the mails for the carrying of boxes or parcels of narcotics intended for medical or scientific use. Under the proposed single convention on narcotic drugs such shipment should be exempted from the provisions for the control of narcotic substances in transit. It was recalled that the Commission, when considering the proposed single convention, had already decided that the consignment of narcotics to a post office box should be prohibited (E/CN.7/L.43, p. 11, para. 13).

201. The Commission considered it preferable to wait until the debate on the proposed single convention was concluded before taking a decision on the division of the provisions for the control of the international shipment of narcotic drugs by post between the proposed single convention and the Universal Postal Convention and the Agreements supplementing that treaty.

202. In the light of these decisions, the Commission considered a United States draft resolution (E/CN.7/L.32/Rev.1) concerning co-operation between the United Nations and the Universal Postal Union in re-

²¹ See document E/RESOLUTION (XV)/7.

spect of control of narcotic drugs. After making certain amendments to the text before it, the Commission decided to recommend that the Council should adopt the following draft resolution:

CO-OPERATION BETWEEN THE UNITED STATES AND THE UNIVERSAL POSTAL UNION IN RESPECT OF CONTROL OF NARCOTIC DRUGS

The Economic and Social Council,

Noting that the Universal Postal Conventions of Paris, 1947 and Brussels, 1952, contain provisions limiting the use of the mails for the shipment of narcotic drugs,

Recognizing the need for close co-operation between the Universal Postal Union and the United Nations on matters pertaining to the international control of narcotic drugs,

1. Requests the Secretary-General to send to the International Bureau of the Universal Postal Union a list of the new synthetic narcotics which are now controlled by the International Narcotics Conventions for transmission to the members of the Universal Postal Union for their information and guidance,

2. Further requests the Secretary-General to consult the International Bureau of the Universal Postal Union as to the arrangements which should be made both as regards supplementing this list from time to time and as regards the extension to all narcotics controlled by the International Narcotics Conventions of the existing provisions of current international postal agreements which already apply to some narcotics,

3. Invites the Secretary-General to compile and transmit to the International Bureau of the Universal Postal Union semi-annual reports on any seizures of narcotics shipped by post that may have been effected for transmission to the members of the Universal Postal Union,

4. Considers that the question of the use of mails for the illicit traffic in narcotic drugs should be further examined, and therefore requests the Secretary-General to study this matter and report thereon to the next session of the Commission,

5. Requests the Secretary-General to transmit to the Director of the International Bureau of the Universal Postal Union the summary records of the Commission's discussion of this subject and any other relevant documentation pertaining thereto.

Transport of dangerous goods

203. The Commission was informed of the Transport and Communications Commission's work on the transport of dangerous goods under the Economic and Social Council resolution 379 E (XIII). There was not yet any question of including narcotic drugs among goods

whose transport involved risk, but a group of experts had been instructed to define and classify the goods falling within that category. Several members of the Commission stressed the need to group all provisions relating to narcotics in international instruments specially concluded for that purpose and to avoid dispersing them among other international agreements. The Commission was informed that its discussion of the matter would be brought to the attention of the group of experts.

Administrative arrangements relating to the Permanent Central Opium Board

204. During the discussion of the provisions of the proposed single Convention concerning the relation to the United Nations of the semi-judicial organ to be set up under the new treaty and to be called the International Narcotics Control Board, Mr. Herbert L. May, President of the Permanent Central Opium Board and Drug Supervisory Body stated that, while he did not criticize either the legal provisions on which the relations with the United Nations of these two organs are at present based, or the corresponding provisions of the new draft, he felt compelled to say that in the past the implementation of these provisions had not been satisfactory. Article 20 of the Geneva Convention of 1925 provides, *inter alia*, for consultation and agreement with the Board on its working arrangements, and assurance by the Secretary-General of the functioning of the administrative services of the Board. The budgetary requirements of international control of narcotic drugs in general and the needs of the Board and Supervisory Body in particular had not always met with the full understanding of the competent organs of the United Nations. He emphasized particularly the need for adequate staff for the Board and Supervisory Body, and pointed out that their requirements were increasing in view of the placing of synthetic drugs under control, and would most probably be further increased as a result of the proposed opium protocol. He informed the Commission that the question was being brought to the attention of the Economic and Social Council in the annual report of the Board and Supervisory Body.²² Several members of the Commission emphasized the importance of the question and of the need for adequate servicing of the organs of international control.

Bulletin on Narcotics: special issue on diacetylmorphine

205. Some members of the Commission expressed their satisfaction with the special issue on diacetylmorphine of the Bulletin on Narcotics (vol. V, No. 2, April-June 1953) and referred to its value to the Commission and the World Health Organization.

²² See documents E/OB/8, p. 21, E/DSB/10, p. 7.

ANNEXES

A. Recommendations of the Commission to the Economic and Social Council

1. The Commission adopted the following resolution:

The Commission on Narcotic Drugs

Considering resolution 694 (VII) adopted by the General Assembly on 20 December 1952, providing for the establishment of a regular pattern of conferences to be held at Headquarters and at Geneva for a period of four years commencing on 1 January 1954, and considering the report (A/2363) prepared in pursuance of that resolution by the Secretary-General, and rule 3 of its rules of procedure,

Noting that at its seventh session it decided to "inform the Council that in its view the interests of the international control of narcotics would best be served if it were to continue its general practice of meeting in April and May of each year",

Stressing the presence at Geneva of international bodies having a direct interest in the question of the control of narcotic drugs,

Drawing the attention of the Council to the fact that it would be desirable for the Commission to hold sessions in Europe from time to time, and that it has hitherto been unable to do so,

Recommends to the Council that in considering the calendar of economic and social conferences for the period 1954-1957 it should invite the Commission to hold its annual sessions for 1954 and 1956 in Geneva, the opening dates of the sessions being not earlier than the first Monday in April.

(Paragraph 31.)

2. The Commission decided to recommend to the Council that the Secretariat should discontinue its work on the publication of the list of preparations and pharmaceutical specialties concerning narcotic drugs.

(Paragraph 92.)

3. The Commission decided to recommend the Council to adopt the following resolution:

ABOLITION OF OPIUM SMOKING

The Economic and Social Council

Having considered the findings of the Commission on Narcotic Drugs with regard to the implementation of Council resolution 159 II B (VII),

Noting the legislative and other progress that has been made in certain areas towards the abolition of opium smoking,

Mindful of resolution 593 (VI) of the General Assembly and Council resolution 450 (XIV),

Desiring to simplify the task of governments in carrying out their obligations in respect of the international control of narcotic drugs,

Considering that no good reason can be adduced to justify the continued legal existence of opium smoking and that no excuse can henceforth be regarded as acceptable in this field,

Repeats its invitation to all countries in which opium smoking is still practised to suppress this evil as speedily as possible,

Requests governments henceforth to include the information on the abolition of opium smoking solicited by Council resolution 159 II B (VII) in the annual report which each of them transmits to the Secretary-General in accordance with article 21 of the Convention of 1931 for limiting the manufacture and regulating the distribution of narcotic drugs or article 21 of the International Opium Convention of 1912.

(Paragraph 174.)

4. The Commission adopted the following resolution:

THE PROBLEM OF SYNTHETIC DRUGS

The Commission on Narcotic Drugs,

Considering the increasing importance of the therapeutic use of synthetic drugs throughout the world,

Having regard to the considerable number of aspects of the problem,

Taking into account the report submitted by the Secretariat on the problem of synthetic drugs (E/CN.7/259/Rev.1),

Recommends that the Economic and Social Council should:

1. Invite the World Health Organization to undertake, in consultation with the United Nations Secretariat, studies on the following problems:

- (a) The addictive properties and therapeutic advantages of synthetic narcotics as compared with natural narcotics;
- (b) The status of scientific knowledge on the relationship between the chemical structure of a drug and its addictive properties;
- (c) The relationship between the strongly analgesic qualities of a drug and its addiction-producing properties;

2. Invite governments which have acceded to the 1948 Protocol and other important drug-manufacturing countries to furnish the Secretariat with such information on the following subjects as they may have or be able to obtain from experts and drug manufacturers:

- (a) The economy of manufacturing synthetic analgesics in general and synthetic opium alkaloids in particular as compared with the manufacture of natural narcotics from opium and from poppy straw;
- (b) Their attitude towards the manufacture of synthetic drugs, even if this should be less economical or should not offer tangible therapeutic advantages;
- (c) Their view on the provisional measures referred to in part II, section 2 of document E/CN.7/

259 and on the applicability or inapplicability of the control measures referred to in part III;

- (d) The advisability of prohibiting the use of synthetic drugs or limiting their number in view of the control problems involved, even if some limited disadvantages from the economic and therapeutic standpoint resulted therefrom.

3. Request the Secretariat to prepare forms for the use of governments in furnishing the above information.

4. Request the Secretariat to prepare compilations of the information so obtained and to submit them to the Commission for its consideration.

(Paragraph 190.)

5. The Commission decided to recommend the Council to adopt the following resolution:

CO-OPERATION BETWEEN THE UNITED NATIONS AND THE UNIVERSAL POSTAL UNION IN RESPECT OF CONTROL OF NARCOTIC DRUGS

The Economic and Social Council,

Noting that the Universal Postal Conventions of Paris, 1947 and Brussels, 1952, contain provisions limiting the use of the mails for the shipment of narcotic drugs,

Recognizing the need for close co-operation between the Universal Postal Union and the United Nations on matters pertaining to the international control of narcotic drugs,

1. Requests the Secretary-General to send to the International Bureau of the Universal Postal Union a list of the new synthetic narcotics which are now controlled by the International Narcotics Conventions for transmission to the members of the Universal Postal Union for their information and guidance,

2. Further requests the Secretary-General to consult the International Bureau of the Universal Postal Union as to the arrangements which should be made both as regards supplementing this list from time to

time and as regards the extension to all narcotics controlled by the International Narcotics Conventions of the existing provisions of current international postal agreements which already apply to some narcotics,

3. Invites the Secretary-General to compile and transmit to the International Bureau of the Universal Postal Union semi-annual reports on any seizures of narcotics shipped by post that may have been effected for transmission to the members of the Universal Postal Union,

4. Considers that the question of the use of mails for the illicit traffic in narcotic drugs should be further examined, and therefore requests the Secretary-General to study this matter and report thereon to the next session of the Commission,

5. Requests the Secretary-General to transmit to the Director of the International Bureau of the Universal Postal Union the summary records of the Commission's discussion of this subject and any other relevant documentation pertaining thereto.

(Paragraph 202.)

6. The Commission decided to recommend the following order of priority in the field of narcotic drugs:

- (1) Performance of functions directly related to the implementation of the international treaties on narcotic drugs;
- (2) The proposed single convention on narcotic drugs;
- (3) Drug addiction;
- (4) The study of the problem of synthetic drugs;
- (5) The problem of *cannabis sativa*;
- (6) The assay, characteristics, composition and origin of opium;
- (7) The problem of the coca leaf;
- (8) Abolition of opium smoking.

(Paragraph 28.)

B. Other decisions of the Commission

(The references are to the paragraphs of the report from which the recommendations have been abstracted).

The Commission decided:

1. To postpone for the duration of the present session, the discussion of proposals to change the representation of China in the Commission.

(Paragraph 20.)

2. To take note of the Progress Report of the Division of Narcotic Drugs on its work during the period 21 March to 31 December 1952, and of the addendum covering its work during the period 1 January to 28 February 1953, and to express its satisfaction at the work accomplished by the Division during those periods.

(Paragraph 27.)

3. To adopt its report to the Economic and Social Council on its eighth session.

(Paragraph 32.)

4. To take note of the Summary of Annual Reports for 1951.

(Paragraph 38.)

5. To incorporate in the present form of annual reports the text relating to prepared opium embodied in the memorandum by the Secretary-General and the text relating to synthetic narcotic drugs and to diacetylmorphine contained in the draft proposed by the United Kingdom.

(Paragraph 40.)

6. To request the Secretary-General to draft a complete revised text of the form of annual reports for its consideration at the next session.

(Paragraph 41.)

7. To request the Secretary-General to obtain more detailed information from the Government of Argentina on the "semi-industrial extraction of the active constituents of a quantity of opium poppy" reported by that Government to have been authorized in 1950.

(Paragraph 44.)

8. To take note of the Summary of Laws and Regulations relating to the control of Narcotic Drugs for 1951.

(Paragraph 46.)

9. To invite the Secretary-General to write to the authorities of Tangiers bringing to their notice the fact that the zone was mentioned on various occasions as being a source of supply.
(Paragraph 50.)
10. To invite the Secretary-General to write to the Government of Ecuador for a report [relating to enforcement measures against illicit traffic].
(Paragraph 52.)
11. To invite the Secretary-General to write for a report from the Government of Bolivia [relating to the manufacture of crude cocaine].
(Paragraph 53.)
12. To invite the Secretary-General to communicate to its Members the text of the report of the League of Nations concerning acetic anhydride.
(Paragraph 54.)
13. That the question of acetic anhydride should be examined at the next session.
(Paragraph 54.)
14. To request the Secretariat to include a chapter or section on synthetic drugs in the Summary of Illicit Transactions and Seizures (Series E/NS....).
(Paragraph 55.)
15. To delete a part of the second paragraph of Case No. 727 in document E/NS.1952/Summary 6, dealing with a seizure at Nazareth, Israel.
(Paragraph 56.)
16. To invite the Secretary-General to write to the Jamaican authorities and congratulate them for the work done [in respect of a seizure in Jamaica].
(Paragraph 57.)
17. To invite the Secretary-General to write to the Government of Lebanon drawing its attention to the fact that a great number of Lebanese were involved in the international traffic in diacetylmorphine.
(Paragraph 59.)
18. That the Secretariat should include in the documents reproducing replies of Governments the text of the resolution to which they refer.
(Paragraph 67.)
19. That document E/CN.7/L.21/Add.1 (chapter V of annual reports not included in E/CN.7/L.21), which was at the time of the session available only in English, should be resubmitted to the Commission at its ninth session.
(Paragraph 68.)
20. To transmit its congratulations to the Permanent Anti-Narcotics Bureau of the Arab League [in connexion with a statement (paragraphs 72-78) of the representative of Egypt].
(Paragraph 79.)
21. That the Secretary-General's memorandum on the illicit traffic for the next session should contain a chapter on the illicit traffic by the crews of merchant ships.
(Paragraph 87.)
22. To postpone further consideration of the proposal of Burma relating to the co-ordination of the efforts of certain Far Eastern governments to suppress poppy cultivation and the smuggling of opium until its ninth session.
(Paragraph 89.)
23. To request the Secretariat:
 - (a) To complete the List of Basic Drugs;
 - (b) To include therein, in addition to the scientific names, the synonyms for those names in various countries in the licit and illicit traffic;
 - (c) To send a copy of the Preliminary List to the governments mentioned in the List for any corrections or additions that might be necessary.
(Paragraph 90.)
24. That an additional study on the physiological and mental effects of the use of Indian hemp should be made.
(Paragraph 182.)
25. To approve the programme of studies outlined in document E/CN.7/256 and to request the Secretariat to carry them out in consultation with the Food and Agriculture Organization and the World Health Organization wherever appropriate.
(Paragraph 183.)
26. To postpone further consideration of [the problem of the coca leaf] until its next session.
(Paragraph 188.)
27. To request the Secretariat [in its programme of scientific research on narcotics] to give precedence to the task of establishing the origin of opium.
(Paragraph 195.)
28. To take note of the paper on scientific research on narcotics (E/CN.7/258).
(Paragraph 195.)
29. To confirm the recommendation it has made at its third session that the term of office of the members of the Supervisory Body should be extended to five years.
(Paragraph 196.)
30. To reappoint Colonel C. H. L. Sharman, C.M.G., C.B.E., I.S.O., to the Supervisory Body for a further period of five years.
(Paragraph 198.)
31. To take note of the Secretary-General's memorandum regarding [co-operation between the United Nations and the Universal Postal Union in connexion with] the XIIIth Universal Postal Congress held in 1952.
(Paragraph 199.)

C. Decisions of the Commission concerning the proposed Single Convention

Definitions

In the following decisions:

"1925 Convention" denotes the International Opium Convention signed at Geneva on 19 February 1925, as amended by the Protocol, signed at Lake Success on 11 December 1946.

"1931 Convention" denotes the Convention for limiting the manufacture and regulating the distribution of narcotic drugs signed at Geneva on 13 July 1931, as amended by the Protocol signed at Lake Success on 11 December 1946.

"Draft" denotes the draft of the International Drug Convention (Single Convention) (E/CN.7/AC.3/3).

"Redraft" denotes the partial redraft of the International Drug Convention, prepared in accordance with the Principles and Detailed Drafting Suggestions adopted by the Commission on Narcotic Drugs during its seventh session (E/CN.7/AC.3/6).

"Board", depending on the context, denotes either the Permanent Central Board, commonly referred to as Permanent Central Opium Board, constituted under chapter VI of the International Opium Convention signed at Geneva on 19 February 1925, or the "International Drug Board" to be constituted under section 14 of the draft and renamed "International Narcotics Control Board" in accordance with the Commission's decision adopted at its seventh session (see article 6 of the redraft).

"Commission", depending on the context, denotes either the present Commission on Narcotic Drugs of the Economic and Social Council of the United Nations or the International Narcotics Commission, i.e., the proposed functional Commission of the Economic and Social Council entrusted with certain functions under articles 8 to 13 of the redraft.

"Council" denotes the Economic and Social Council of the United Nations.

Decisions

SECTION 14

Paragraph 2

The Commission should have the right to elect the representative of one of its members to attend the sessions of the Board as an observer.

The list of persons nominated by the World Health Organization should contain at least three names.

Paragraph 4

This paragraph should have two alternatives in all languages in which the new convention would be drafted: one expressing the idea contained in the phrase (taken from the English text of article 19, paragraph 4 of the International Opium Convention of 1925 as amended) "and connected with such countries" and another expressing that contained in the phrase "et appartenant à ces pays" (taken from the French text of the same conventional provision).

SECTION 15

Paragraph 2 of this article should be drafted on the same lines on which the text of article 8 of the redraft concerning "Continuity of Function" of members and officers of the Commission will be finally elaborated.

SECTION 16

A provision should be added to the effect that a member of the Board who fails to attend sessions of the Board during a full calendar year or is absent from four sessions during his term of office should automatically be considered to have resigned.

A clause should be inserted in an appropriate place of the Convention to the effect that the Council should fill, in accordance with the procedure of section 14, vacancies which occur as a result of death, resignation, dismissal or failure to attend sessions, for the remainder of the term of office of the member concerned.

SECTION 17

Paragraph 1 of this section should be drafted on the same lines as the provisions relating to privileges and

immunities of members of the Commission (article 9 of the redraft). It should be decided at a later stage which method might be used to define the privileges and immunities.

SECTION 18

Paragraph 2 should be changed to the effect that the Board should meet at least twice a year but should have the right to meet in addition as often as it considers necessary for the proper discharge of its functions.

SECTIONS 19 AND 20

These sections should be deleted.

SECTION 21

It should be made clear that the decisions of the Board referred to in this section mean decisions adopted within its competence as established under the terms of the Convention. Such decisions should come into force as provided for in the present text unless:

- (1) A different date is expressly set by the Board; or
- (2) An appeal is made.¹

SECTION 22

This section should contain a general clause authorizing the Board to perform other functions necessary or useful for the application of the Convention. The section should contain all the drafting changes consequential to the decisions which the Commission has taken in respect of sections 23 to 26 of the draft.

SECTIONS 23 AND 24

The functions of the Board concerning estimates (section 23) and the corresponding obligations of parties should be separated.

Section 24, which has already been deleted by a decision of the Commission taken during its seventh session, should be replaced by new sections, one on the statistical functions of the Board and another on the obligations of the parties to furnish statistics.

The proposal to insert provisions on estimates and statistics along the lines of the draft sections 23, 23 *bis*, 24 and 24 *bis* reproduced at the end of this annex should be submitted to the Permanent Central Opium Board for its views.

SECTION 23

Paragraph 1

(a) Estimates which parties would be required to furnish should be listed in the text of the Convention itself. The Commission should be authorized to amend this list on the recommendation of the Board. Such a decision of the Commission should be subject to review by the Council in accordance with article 11 of the redraft.

(b) The Board should fix the date or dates by which the estimates should be furnished by governments.

Paragraph 2

It should be made clear that estimates must be furnished for the metropolitan countries as well as for "territories".

¹ In accordance with the appeal procedure outlined below the date on which the embargo (other than the "automatic" embargo or a mere recommendation of an embargo) would come into force, will depend on whether an appeal has suspensive effect or not (see sub-paragraph (c) (IV) under Section 26 below).

Paragraph 3

No time-limit should be set for supplementary estimates.

Paragraph 4

When this paragraph is redrafted, consideration should be given to replacing the word "prescribe" by a somewhat weaker term.²

Paragraph 6

The new draft of this paragraph should omit the word "any" in the first line of the English text and the words "tous" and "toutes" in the second line of the French text.

Paragraph 7

Amendments of estimates should be made by the Board only with the consent of the government concerned.

Paragraph 8

The alternative "not be exceeded by" should be adopted.

SECTION 25

An express provision should be inserted in section 25 to the effect that the Board's report should be communicated to the parties to the Convention.

SECTION 26 (as a whole)

(a) A clause patterned after article 24, paragraph 7, of the 1925 Convention should be inserted to ensure that in the case of paragraph 1, sub-paragraphs (b) and (d), and in the event that the attention of a government is called *publicly* to a matter in accordance with paragraph 1, sub-paragraph (c), as well as in all cases of paragraph 2 of section 26, the States directly concerned should be given an opportunity to be heard.

(b) All decisions of the Board relating to the substance matter of section 26 should be taken by an absolute majority of the whole number of the Board.

SECTION 26 (individual clauses)

Sub-paragraph 1 (a)

The word "substantially" should be inserted before "carrying" and the words "any of" should be deleted before the words "the provisions" in the English text.

The word "*quelconque*" should be replaced by the word "*importante*" in the second line of the French text.

Sub-paragraph 1 (b)

This sub-paragraph should be changed to the effect that the local inquiry should be undertaken by the Board only with the previous express consent of the government concerned and that in the case of failure of a government to reply to a proposal by the Board for a local inquiry within a period of four months the government's silence should be construed as a rejection of the proposal.

Sub-paragraph 1 (c)

The English text of this sub-paragraph should be redrafted on the following lines: the words "any of"

² The Commission considered the use of the word "method" in paragraph 5 of section 23 of the draft. It was assumed that this word would be explained in the estimate form which the future Board will draw up. In view of this assumption, the Commission did not decide to replace the word "method" by another word.

before the words "the provisions" should be deleted; the word "substantially" should be added to the expression "to carry out"; the word "gravely" should be inserted before the word "unsatisfactory".

In the French text, the word "*importante*" should be added after the word "*disposition*"; the word "*grave-ment*" should be added to the verb "*désirer*"; both texts should contain two alternatives: "failure" or "substantial failure" in English and "*inexécution*" or "*mauvaise exécution*" in French.

Sub-paragraph 1 (d)

The word "formal" in the English text and the word "*officiellement*" in the French text should be deleted.

Paragraph 2, introductory sub-paragraph

The reference to the public international organization should be deleted. The alternatives concerning "failure" and "substantial failure" referred to under sub-paragraph 1 (c) should also be reproduced here.

Sub-paragraph 2 (b)

An expression such as "in its opinion" should be added after the word "that" in the first line of this sub-paragraph.

Sub-paragraphs 2 (c) and (d)

(a) The inclusion, in principle, of an import and/or export embargo among the measures to ensure the execution of the provisions of the Convention was approved.

(b) The Board should not be empowered to announce its intention of imposing an import and/or export embargo or to impose such an embargo unless one of the following conditions obtained:

(i) If the information at its disposal leads the Board to the conclusion that excessive quantities of any substance covered by the Convention are accumulating in any country or territory [and] [or], that there is a danger of that country becoming a centre of the illicit traffic;

(ii) If it appears from the import and export returns made or notified to the Board that the quantity exported or authorized to be exported to any country or territory exceeds the total of the estimates for that country or territory for the year in question (except where supplementary estimates have been submitted and published and in humanitarian cases involving the interests of the sick), or

(iii) If the information before the Board indicates that one of the parties has or may have been guilty of such serious failure to carry out its obligations under this Convention that the illicit traffic may have been largely benefited by such failure.

(c) It should be provided that the Board may impose such an import and/or export embargo either for a definite period or until it shall be satisfied as to the situation in the country or territory concerned in regard to the drug or drugs under embargo.

(d) The Board should not be empowered to impose an import and/or export embargo unless such measure is preceded by an announcement of the Board's intention to do so and lesser measures had failed to or were unlikely to achieve the desired results.

(e) The new text should, however, also provide that the Board:

- (i) May recommend an embargo for the reasons mentioned in article 24 of the 1925 Convention and article 14, paragraph 3, of the 1931 Convention.
- (ii) May impose the so-called "automatic" embargo in accordance with the present provisions of article 14, paragraph 2, of the 1931 Convention.
- (f) There should be no requirement that the recommendations or the automatic embargo be preceded by an announcement of the Board's intention to impose an embargo or that they can be adopted only if lesser measures had failed to or were unlikely to achieve the desired results.

Sub-paragraph 2 (d)

(a) The substance of sub-paragraph (ii) should be deleted because it referred to the International Clearing House formerly provided for in section 24 of the draft which has been eliminated.

(b) A new provision should be included for an appeal procedure. Appeals should be permitted against the imposition of an embargo, but not in the case of the so-called "automatic" embargo or if the Board merely *recommends* an embargo.

(c) The appeal procedure should be developed on the lines of section 12 of the French Protocol (E/2186, annex I) with the following modifications:

- (i) The embargo decision should come into force only after two months instead of one month;
- (ii) Notification of appeal should be made by the government concerned within one month and an additional month should be granted for submitting the appeal;
- (iii) The members of the permanent appeal body should be appointed by the International Court of Justice for a period of five years;
- (iv) Three alternatives should be inserted in the revised text concerning the suspensive effects of appeals:
 - (aa) Appeals should bring about automatic suspension of the embargo,
 - (bb) The Chairman of the appeal body should be authorized to suspend the embargo pending the appeal decision,
 - (cc) The appeal body as a whole should in exceptional cases be able to order, at the express request of the government concerned the "temporary" suspension of the embargo;

(d) Consequential drafting changes should be made in other parts of section 26 and elsewhere, e.g., it should be clear that parties are only under an obligation to carry out an embargo when and if such an embargo becomes final.³

SECTIONS 27 AND 28

(a) Separate sections should deal with the secretariats of the Commission and of the Board.

(b) Neither the functions of the secretariat of the Commission nor those of the secretariat of the Board should be enumerated in detail. It should merely be

stated that the secretariat of the Commission and that of the Board should perform such specific functions as the Commission or the Board respectively having regard to the provisions of the Convention might determine.

SECTION 27

This section should stipulate that the secretariat of the Commission should be provided by the Secretary-General of the United Nations and should be an integral part of the Secretariat of the United Nations.

SECTION 28

(a) The provisions of the English and French versions of article 20 of the 1925 Convention concerning the secretariat of the Board should be incorporated.

(b) The provisions of this article concerning the full technical independence of the Board should be inserted elsewhere, perhaps in connexion with the provisions of the present section 14 of the draft.

SECTION 29

The new Convention should contain the provisions of article 15 of the 1931 Convention and of articles 11 and 12 of the 1936 Convention.⁴

SECTION 34

General (paragraph 2)

(a) It should be made clear that the provisions embodied in paragraph 2 (d) and (e) should also be binding upon parties that have State monopolies entrusted with the exclusive right of manufacturing narcotic drugs.

(b) The relevant principles of articles 6, 7, 8 and 9 of the 1931 Convention should be introduced into the appropriate place of the text of the draft.

Paragraph 2 (c)

(a) The expression in parentheses should be deleted.

(b) Only narcotic alkaloids and synthetic narcotic drugs (with the exception of those included in schedule II of the redraft, E/CN.7/AC.3/6) should be covered by the provisions of this sub-paragraph.

Paragraph 2 (e)

The conception of imposing requirements to be carried out only "if feasible" was rejected. Provisions along the following lines should be substituted for sub-paragraph (e):

(a) Parties undertake to give serious consideration to any recommendation the World Health Organization may make as to:

- (i) Standard wrappings, labels and inscriptions; the word "wrappings" should be reproduced in French by the expression "*conditionnements*";
- (ii) International non-proprietary names (the French text should use the term "*denominations communes*");
- (iii) The adoption of international standards.

(b) Parties should, however, not be required to make reference to a narcotic drug on *external* wrappings of packages containing narcotic drugs. The word

⁴ i.e., of the Convention of 1936 for the Suppression of the Illicit Traffic in Dangerous Drugs, as amended by the Protocol of 1946.

³ See footnote 1 above.

packages should be translated into French by the term "*colis*".

(c) Manufacturers should also not be prevented from using their own distinctive labels (the French text should use the term "*label*").

(d) Provision should be made to achieve the objects of article 19 of the 1931 Convention though not necessarily in the precise terms of that article; in particular, the term "percentage" should be defined.

SECTION 35

Title

The word "domestic" should be dropped from the heading of this section as a consequence of the elimination of the "International Clearing House".

General

The provisions of article 10 of the 1931 Convention should be inserted in this section.

Paragraph 2

The second sentence should be deleted in view of the revision of section 3 of the draft.

Paragraphs 3 and 4

These paragraphs should be omitted.

Paragraphs 5 and 6

The substance of these paragraphs was approved.

Paragraph 7

It should be made clear that a single authorization could refer to the import or export of several kinds of drugs.

Paragraph 8

This paragraph should be deleted. The new convention should, however, contain the provision of the second sub-paragraph of paragraph 2 of article 13 of the 1925 Convention according to which each party agreed to adopt so far as possible the form of the import certificate annexed to this convention.

The language of the 1925 Convention concerning the terms "import certificate" and "import and export authorizations" should be maintained and consequential drafting changes should be made wherever necessary.

Paragraph 10

(a) The requirement that each consignment should be accompanied by a copy of the import authorization should be dropped. Necessary drafting changes should be made to this effect wherever appropriate.

(b) The word "official" should be omitted from the expression "official copy of the export authorization" in the English text, and the French text should use the term "*duplicata de l'autorisation d'exportation*". The same change should be made elsewhere.

Paragraph 11

This paragraph should be deleted.

Paragraph 12

(a) The words "accompanied by copies of each record of entry prepared by the customs authorities" should be deleted.

(b) The new text should, however, contain the provisions of paragraph 6 and the last sentence of paragraph 5 of article 13 of the 1925 Convention.

Paragraph 13

The square brackets should be deleted.

Paragraph 14

The substance of this provision should be maintained.

Paragraph 15

This paragraph should be deleted.

Paragraph 16

The substance of this provision should be maintained. The words in square brackets should be deleted.

SECTION 36

Paragraph 1

The substance of this paragraph was approved. The letter "s" and the words in square brackets should be deleted.

Paragraph 2

This paragraph should be divided into two sentences to make its meaning clearer.

Paragraphs 3 and 4

The substance of these paragraphs was approved.

DRAFT PROVISION TO BE SUBMITTED TO THE PERMANENT CENTRAL OPIUM BOARD FOR ITS VIEWS

SECTION 23

(The Estimate System)

1. The Board shall determine the date on which the estimates provided for in article 23 *bis* should be furnished by the parties.

2. The list of the estimates to be furnished by the parties may be modified by the Commission on the recommendation of the Board.

3. The Board shall request estimates for countries and territories to which this convention does not apply to be made in accordance with the provisions thereof. In the event of any State failing to furnish by the date specified by the Board an estimate in respect of any of its territories, an estimate will, as far as possible, be established by the Board.

4. The Board may at its discretion prescribe⁵ the use of forms which shall be distributed to all States for the estimates to be furnished in accordance with paragraphs 1-3 of this section.

5. The estimates will be examined by the Board, which may require further information or details which it may consider necessary, in respect of any country or territory on behalf of which an estimate has been furnished, in order to make the estimate complete or to explain any statement made therein.

6. The Board shall then, as expeditiously as possible, either confirm the estimate or, in agreement with the government concerned, amend it in accordance with any information or details so obtained.

7. The Board shall issue periodically at such times as it shall determine such information on the estimates as in its opinion will facilitate the execution by all States of the provisions of this convention.

⁵ See decision of the Commission in respect to section 23, para. 4.

SECTION 23 *bis*
(*The Estimate System*)
Obligations of parties

1. The parties undertake to furnish the Board with the estimates described below.

2. The estimates shall be based on the medical and scientific needs for a year and must relate to each substance mentioned in schedules I and II:

(a) The quantity necessary for use as such including the quantity required for the manufacture of medicines for the export of which export authorizations are not required, whether such preparations are intended for domestic consumption or for export;

(b) The quantity necessary for the purpose of conversion for domestic consumption;

(c) The amount of the reserve stocks which it is desired to maintain;

(d) Possibly the same data under separate headings for quasi-medical needs.

3. By the total of the estimates of each substance for each party is meant the sum of the amounts specified under sub-paragraphs (a) and (b) of the preceding paragraph together with any amount which may be necessary to bring the reserve stocks up to the desired level. Possibly there shall be added, under similar circumstances, the quasi-medical needs.

4. States may, if necessary, in any year furnish in respect of any of their territories supplementary estimates for that territory for that year, with an explanation of the circumstances which necessitate such supplementary estimates.

5. Every estimate shall be accompanied by a statement explaining the method by which the several amounts shown in it have been determined. If these amounts are determined so as to include a margin allowing for possible fluctuations and demands, the estimates must indicate the extent of the margin so included.

6. The parties undertake not to exceed the estimates as confirmed or amended by the Board unless or until they shall have been duly modified by supplementary estimates.

7. There shall not be manufactured in any country in any one year a quantity of any substance, to which the convention applies, greater than the total of the following quantities:

(a) The total of the estimates defined in paragraph 3;

(b) Such quantity as may be required for the execution during the year of orders for export in accordance with the provisions of the convention.

For each substance the sum of (a) plus (b) will be reduced by the amount imported during the year and by the amount seized and utilized as such for consumption. All production in excess of the above-mentioned total will be subtracted from the estimates relative to the year immediately following that during the course of which the total was exceeded, if the Board so decides.

8. Parties that obtain the substances to which the convention applies solely by importation, shall not import during the course of any year quantities of any substance to which the convention applies in excess of the total quantities defined in sub-paragraphs (a) and (b) above.

For each substance the total of (a) plus (b) will be reduced by the quantity seized and utilized as such for consumption.

Every importation in excess of the total defined above will be subtracted from the estimates relating to the year immediately following the one during the course of which the total was exceeded.

SECTION 24

Statistical procedure

1. The Board shall examine the statistical information supplied by the parties in accordance with the provisions of section.

2. The Board may request the parties to supply any information which it may consider necessary to supplement the said statistical information or to explain the particulars contained therein.

3. The Board shall each year submit to all the parties a statement containing the statistical information furnished by all the parties, to which, where necessary, shall be attached a summary of the explanations furnished or requested and any observations the Board may wish to make concerning any item of statistical information and of the explanations furnished.

SECTION 24 *bis*

Statistics

Obligations of the parties

1. The parties undertake to forward to the Board in the form prescribed by the Board the statistics specified hereunder.

2. The statistics shall relate to the preceding year and shall refer to the following subjects:

(a) The production of the substances listed in schedule I.

(b) The utilization of the substances listed in schedule I for the manufacture of other substances in schedule I and of substances in schedule II.

(c) Production and processing of the substances listed in schedule II.

The quantity of substances covered by the Convention used for the manufacture of derivatives not covered by the Convention shall be declared separately.

(d) Stocks of the substances listed in schedules I and II.

The parties shall for this purpose make an inventory at least of the stocks held by the State and by manufacturers of and wholesale dealers in substances governed by the provisions of the Convention, and of the stocks of wholesale manufacturers of medicaments containing those substances.

(e) Consumption of the substances listed in schedules I and II.

(f) Seizures effected by the parties.

(g) Imports and exports of the substances governed by the provisions of the Convention.

(h) If necessary, and under separate headings, the same information for substances governed by the Convention and used for quasi-medical purposes.

3. The statistics referred to in sub-paragraphs (a), (b), (c), (d), (e), (f), and (h) shall be drawn up annually and shall reach the Board not later than [5] months after the end of the year.

The statistics referred to in sub-paragraph (g) shall be drawn up every quarter and shall reach the Board not later than [75] days after the end of the quarter.

D. List of documents relevant to the report of the Commission

("E only" indicates that the document exists only in English; "F only" indicates that the document exists only in French)

<i>Reference to the chapter</i>	<i>Documents</i>
I. ORGANIZATIONAL AND ADMINISTRATIVE MATTERS	
Election of officers	Draft resolution by the USSR on the question of the representation of China: E/CN.7/L.23
Adoption of the agenda	Eighth session provisional agenda: E/CN.7/248, 248/Add.1, 248/Add.1/Rev.1, 248/Add.1/Rev.2, E/CN.7/L.24
Progress report of the Division of Narcotic Drugs	Progress report: E/CN.7/249, 249/Corr.1, (E only) 249/Add.1
Future priorities for the work of the Division of Narcotic Drugs	Programme of concerted practical action in the social field of the United Nations and specialized agencies: E/CN.5/291 Note by the Secretary-General: E/CN.7/L.20 Programme of concerted practical action in the social field: E/CN.7/L.22
Date and place of the ninth session of the Commission	Draft resolution by France and United Kingdom: E/CN.7/L.45 Financial implications: E/CN.7/L.45/Add.1
II. IMPLEMENTATION OF THE INTERNATIONAL TREATIES ON NARCOTICS	
Annual reports of governments made pursuant to article 21 of the 1931 Convention, as amended by the 1946 Protocol	Annual reports for 1949 issued since the seventh session of the Commission: E/NR.1949/97, 98, 107-112, 120. Annual reports for 1950 issued since the seventh session of the Commission: E/NR.1950/98, 101, 105-114. Annual reports for 1951: E/NR.1951/1-108, 110-112 (E only), E/NR.1951/1-15, 17-23, 42-43, 46, 51, 60, 66, 68, 86-91, 93, 95, 100 (F only) Summary of Annual Reports for 1951: E/NR.1951/SUMMARY
Revision of the form of annual reports	Note by the Secretary-General: E/CN.7/251. Comments by the United Kingdom: E/CN.7/251/Add.1
Laws and regulations relating to narcotic drugs	Annual summary of laws and regulations: E/NL.1951/Summary
Illicit traffic	Summaries of reports on illicit transactions and seizures: E/NS.1952/Summary 2, Summary 3, Summary 4, Summary 5, Summary 6. Memorandum by the Secretary-General on illicit traffic in 1952: E/CN.7/252, 252/Corr.1 (E only) Chapters V of annual reports for 1952: E/CN.7/L.21, L.21/Add.1, L.21/Add.2. ⁶ Communications from governments in connexion with resolution 436 C. (XIV): E/CN.7/257.
List of narcotic drugs under international control	List of the basic narcotic drugs coming under the international narcotics treaties: E/CN.7/247
Regulations on the trade in narcotics in the Benelux area	Regulations on the trade in narcotics in the Benelux area: E/CN.7/253

⁶ See also: Statement by Egypt: E/CN.7/L.46.

III. THE PROPOSED SINGLE CONVENTION ON NARCOTIC DRUGS

Draft of the single convention: E/CN.7/AC.3/3 (E only), E/CN.7/AC.3/3/Rev.2 (F only)
 Commentary on the draft: E/CN.7/AC.3/4/Rev.1
 Observations on the draft: E/CN.7/AC.3/5, 3/5/Corr.1 (E only), 3/5/Add.1
 Partial redraft: E/CN.7/AC.3/6
 Joint Memorandum by France and the United Kingdom: E/CN.7/L.25
 Proposal by Yugoslavia: E/CN.7/L.26
 Proposal by France: E/CN.7/L.27
 Joint proposal by India and the Netherlands: E/CN.7/L.28
 Draft amendment by France and Yugoslavia: E/CN.7/L.29
 Draft resolution by the USSR: E/CN.7/L.30
 Proposal by France: E/CN.7/L.31
 Proposal by France: E/CN.7/L.33
 Joint proposal by France, the Netherlands and the United Kingdom: E/CN.7/L.37
 Text as adopted by the Commission: E/CN.7/L.37/Rev.1
 Interpretation by Legal Department of article 20 of the 1925 Convention: E/CN.7/L.38
 Proposal by the USSR: E/CN.7/L.39
 Records of the meetings of the Drafting Committee: E/CN.7/L.34, L.36, L.40, L.41, L.42
 Report of the Drafting Committee: E/CN.7/L.43

IV. ABOLITION OF OPIUM SMOKING IN THE FAR EAST

(a) Draft resolution concerning reports on the abolition of opium smoking and reports of governments for the years 1950 and 1951

(b) Proposal of Burma relating to the co-ordination of the efforts of certain Far Eastern governments to suppress poppy cultivation and the smuggling of opium

Draft resolution: E/CN.7/243
 Reports of governments for the years 1950 and 1951: E/CN.7/244, 244/Add.1, 244/Add.2, 244/Add.3
 Burmese proposal: E/CN.7/222
 Report of the sixth session of the Commission on Narcotic Drugs: E/1998: E/CN.7/227/Rev.1 (paragraph 58). Replies of governments to Burmese proposal: E/CN.7/246

V. THE PROBLEM OF INDIAN HEMP (CANNABIS)

Note by the Secretary-General: E/CN.7/256

VI. THE PROBLEM OF THE COCA LEAF

Communication from the Ministry of Public Health and Social Welfare of Peru: E/CN.7/242, (F only) 242/Add.1 (F only) E/CN.7/242/Rev.2, (E only) 242/Rev.2/Add.1 (E only)

VII. THE PROBLEM OF SYNTHETIC DRUGS

Communications from governments: E/CN.7/255, 255/Add.1 (E only) 255/Add.2.

Note by the Secretary-General: E/CN.7/259/Rev.1 (E only), E/CN.7/259 (F only).

A survey of synthetic narcotic drugs, their salts and preparations: E/CN.7/260.

Draft resolution by Egypt and France: E/CN.7/L.44

Scientific research on narcotics: E/CN.7/258

VIII. SCIENTIFIC RESEARCH ON NARCOTICS

IX. OTHER QUESTIONS

Appointment of a member of the Supervisory Body

Note by the Secretary-General: E/CN.7/250/Rev.1, 250/Rev.1/Corr.1 (F only)

Co-operation between the United Nations and the Universal Postal Union in respect of control of narcotic drugs

Memoranda by the Secretary-General: E/CN.7/239, E/CN.7/245, E/CN.7/L.32/Rev.1

Transport of dangerous goods

Progress report: E/CN.7/249, paragraph 95.

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