



Eighth session
Agenda item 68(a)

NARCOTIC DRUGS

ASSUMPTION BY ORGANS OF THE UNITED NATIONS OF FUNCTIONS AND RESPONSIBILITIES ASSIGNED TO THEM UNDER THE TERMS OF THE PROTOCOL FOR LIMITING AND REGULATING THE CULTIVATION OF THE POPPY PLANT, THE PRODUCTION OF, INTERNATIONAL AND WHOLESALE TRADE IN, AND USE OF OPIUM, 1953, AND OF THE FINANCIAL BURDENS RESULTING THEREFROM

Report of the Fifth Committee

Rapporteur:

Mr. H.M. AHSON

(Pakistan)

1. The Economic and Social Council, in resolution 505 I (XVI) of 28 July 1953, recommended that the General Assembly should (a) approve the assumption of the functions and responsibilities assigned to organs of the United Nations by the Protocol which was adopted by the United Nations Opium Conference in 1953; and (b) include this Protocol among the multilateral treaties relating to the control of narcotic drugs to which General Assembly resolution 455 (V) on the assessment of signatory non-member States applied.
2. In accordance with the allocation of agenda items approved by the General Assembly at its 435th plenary meeting on 17 September 1953, the Council's recommendation was considered by the Fifth Committee at its 403rd meeting on 6 November 1953. As a basis for its discussion, the Committee had before it a report by the Secretary-General (A/2516); together with the eleventh report of the Advisory Committee on Administrative and Budgetary Questions to the eighth session of the General Assembly (A/2529).
3. It was noted that the President of the International Court of Justice had informed the Secretary-General that he was willing to undertake the responsibility of appointing the members of the Appeals Committee provided for under Article 12 of the Protocol. Special attention was called, in this connexion, to the observation

of the Advisory Committee that no provision was included in the Protocol for an award of costs against an appellant State in cases where the Appeals Committee affirmed the decision of the Board, and that the advisability of including such a provision should be considered in future whenever the establishment of machinery for hearing appeals was contemplated in a protocol or other similar instrument.

4. With regard to the financial obligations which would result from the assumption by organs of the United Nations of the functions and responsibilities assigned to them under the terms of the Protocol, the Committee was informed, in the reports of the Secretary-General and of the Advisory Committee, that the position would be as follows:

(a) Responsibilities assigned to the Secretary-General as well as to the Economic and Social Council and the Commission on Narcotic Drugs, since they were of a similar character to those now being carried out in respect of the various narcotic conventions already in force, could be assumed without additional budgetary provision, with the possible exception of the costs of reproduction of annual reports. It was the opinion of the Advisory Committee, however, that any such additional requirement was likely to be slight.

(b) The financial implications of the additional responsibilities assigned to the Permanent Central Opium Board and the Drug Supervisory Body were to be examined by the Board and the Supervisory Body at future sessions. The indications were, however, that these additional responsibilities would not be unduly heavy, though they might call for some addition to the staff of the Board when the Protocol came into force. The Advisory Committee was therefore of the opinion that action under the Protocol need not be delayed pending the submission of the relevant supplementary estimates and that any additional costs arising thereunder should, in the meantime, be absorbed within the appropriations relating to the work of the Permanent Central Opium Board that were administered as a single unit, namely, section 3a, section 20, chapter III, and section 25, chapter V, of the budget estimates.

(c) While it was not expected that the Appeals Committee would meet until there was a likelihood of actual cases arising, any funds required for such a purpose should be withdrawn from the Working Capital Fund, with the concurrence of the Advisory Committee, as an unforeseen or extraordinary commitment.

5. There being no objection, the Committee agreed to inform the General Assembly that approval of the Economic and Social Council's recommendation would involve financial obligations as indicated above.

6. In the absence of further comment, and in the light of its examination of the financial implications involved, the Fifth Committee therefore decided, by 27 votes to none, with 6 abstentions, to recommend to the General Assembly, the adoption of the following resolution:

ASSUMPTION BY ORGANS OF THE UNITED NATIONS OF FUNCTIONS AND RESPONSIBILITIES ASSIGNED TO THEM UNDER THE TERMS OF THE PROTOCOL FOR LIMITING AND REGULATING THE CULTIVATION OF THE POPPY PLANT, THE PRODUCTION OF, INTERNATIONAL AND WHOLESALE TRADE IN, AND USE OF OPIUM, 1953, AND OF THE FINANCIAL BURDENS RESULTING THEREFROM.

The General Assembly,

Having regard to resolution 505 I (XVI) adopted by the Economic and Social Council on 28 July 1953,

Decides:

1. To approve the assumption by organs of the United Nations of the functions and responsibilities assigned to them by the Protocol, adopted by the United Nations Opium Conference (1953), for Limiting and Regulating the Cultivation of the Poppy Plant, the Production of, International and Wholesale Trade in, and Use of Opium;^{1/}

2. To include this Protocol among the multilateral treaties relating to the control of narcotic drugs for the purpose of assessing, in accordance with General Assembly resolution 455 (V) of 15 November 1950, non-Member States which are Parties to such treaties for their fair share of the expenses borne by the United Nations in connexion with the international control of narcotic drugs.