

Distr.  
GENERAL

Future  
E/CN.7/1996/3  
xx January 1996

ORIGINAL: ENGLISH

COMMISSION ON NARCOTIC DRUGS

Thirty-ninth session

Vienna, 16-25 April 1996

Item 3 of the provisional agenda\*

GENERAL DEBATE: FOLLOW-UP TO GENERAL ASSEMBLY RESOLUTION 48/12

Implementation of General Assembly resolution 48/12 on the status of international cooperation against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances

Report of the Executive Director

Summary

The present report has been prepared pursuant to Commission on Narcotic Drugs resolution 13 (XXXVIII) in the context of its special examination of the current status of international cooperation in drug control. That examination was initiated to implement General Assembly resolution 48/12 of 28 October 1993 in which the Commission was entrusted with the responsibility to review the effectiveness of the international drug control instruments and to consider and make recommendations on a number of drug-related issues. A special report on the subject by the Executive Director presented to the Commission at its thirty-eighth session in 1995 prompted a request for the Executive Director to refine and elaborate, in consultation with Governments, the recommendations contained in that report. The present document reflects Government comments and additional information provided to the Secretariat as a result of that consultation. Chapters I to IV refine recommendations proposed in the first report in the light of comments received from Governments. Chapter V contains recommendations on which the Commission is invited to take action. The Commission should report on those matters through the Economic and Social Council to the General Assembly at its fifty-first session.

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\* E/CN.7/1996/1

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## INTRODUCTION

1. At the high-level plenary meetings at its forty-eighth session, the General Assembly adopted resolution 48/12 of 28 October 1993 on measures to strengthen international cooperation in drug abuse control in which it requested the Commission on Narcotic Drugs, with the support of the United Nations International Drug Control Programme and in cooperation with the International Narcotics Control Board, to monitor and evaluate action taken to implement the international drug control instruments, with a view to identifying areas of satisfactory progress and weakness. The Commission was to make appropriate recommendations on those matters and report thereon through the Economic and Social Council in 1995 to the fiftieth session of the General Assembly.
2. After discussing the request contained in the resolution at its thirty-seventh session in 1994, the Commission adopted resolution 3(XXXVII) by which it formulated the methodology it wished to follow in responding to the request. It decided to proceed on the basis of an assessment by the Executive Director, in cooperation with the Board and with the support of an ad hoc intergovernmental advisory group, as well as on the basis of a report by the Executive Director in the light of the work of its subsidiary bodies and the conclusions and recommendations of relevant conferences.
3. The Executive Director convened the ad hoc advisory group twice at Vienna during 1994, and prepared an assessment in his first report on the subject (E/CN.7/1995/14). (That first report is again available to the Commission for reference.) At its thirty-eighth session, the Commission continued its examination of the implementation of General Assembly resolution 48/12 and adopted resolution 13 (XXXVIII) in which it established the procedure it wished to follow in completing its examination of the issues raised in the Assembly resolution. In its resolution, the Commission requested the Executive Director to review and further elaborate and refine his recommendations, on the basis of additional information obtained from Governments, for further consideration at its thirty-ninth session.
4. Accordingly, Governments were requested to transmit comments to the Executive Director of UNDCP by 1 December 1995. As at 1 February 1996, substantive replies had

been received from Australia, Austria, Belgium, Brazil, Colombia, Peru, South Africa and the United Kingdom of Great Britain and Northern Ireland.

5. In response to the request by the Commission, the recommendations emanating from the first report of the Executive Director have been regrouped into four categories, taking into account, *inter alia*, the substantive content and the magnitude of programme budget implications. Chapter I deals with matters related to the functioning of the international drug control treaties. Chapters II and III contain, respectively, recommendations relating to the convening of conferences or other meetings and additional activities which UNDCP could undertake; they therefore have potential programme budget implications on either the regular budget of the United Nations or the budget of the Fund of UNDCP. Chapter IV concerns those recommendations that were addressed to States and those contained in the reports of the subsidiary bodies (E/CN.7/1995/9) which have few or no programme budget implications for the United Nations. Chapter V contains a listing of the recommendations which were refined in the light of Government views, as requested in resolution 13 (XXXVIII). The Commission is invited to review the recommendations, particularly those addressed to UNDCP, and take appropriate action.

## **I. RECOMMENDATIONS RELATED TO THE FUNCTIONING OF THE INTERNATIONAL DRUG CONTROL TREATIES**

6. The present chapter reflects, in the light of additional comments received by Governments, the recommendations on (a) proposed amendments to the 1961 and 1971 conventions, (b) the convening of two expert groups to review controls applicable to poppy straw and the adequacy of definitions in the 1961 and 1971 conventions, (c) review of the 1988 Convention, and (d) data collection from Governments.<sup>1</sup>

7. In his first report, the Executive Director proposed that several provisions of the 1961

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<sup>1</sup> paragraphs 46, 47, 48 and 49 of the first report of the Executive Director (E/CN.7/1995/14)

and 1971 conventions be amended, in order to remove inadequacies in their control mechanisms and inconsistencies that have emerged in several areas, partly due to technological advances in the production and manufacture of drugs. The proposed amendments are discussed in detail in a position paper of the Board on the effectiveness of the international drug control treaties.<sup>2</sup>

8. One respondent<sup>3</sup> did not share the assessment of the advisory group and the Board that the 1961 and 1971 conventions had generally achieved the objectives for which they were intended, since the drug problem had increased rather than decreased in magnitude during the last 30 years. In the view of the respondent, while many diversions of licit drugs into the illicit traffic had been uncovered, the problem had not been corrected at its roots. There was a need to re-examine traditional ways of addressing drug control issues. Although it supported some of the amendments proposed, the respondent did not support the proposal to amend the conventions using the simplified procedure under article 47, paragraph 1(b), of the 1961 Convention and article 30, paragraph 1(b), of the 1971 Convention.

Simplified reporting on licit trade in narcotic drugs<sup>4</sup>

9. One respondent<sup>5</sup> concurred with the proposal for annual instead of quarterly statistical reporting on international trade in narcotic drugs but added that quarterly reconciliation at the domestic level would have to be maintained.

Establishing an import and export authorization system for substances listed in Schedules III and IV of the 1971 Convention<sup>6</sup>

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<sup>2</sup> Effectiveness of the International Drug Control Treaties (United Nations publication, Sales No. E.95.XI.5)

<sup>3</sup> Peru

<sup>4</sup> Effectiveness ..., paragraphs 32-34

<sup>5</sup> Australia

<sup>6</sup>Effectiveness ..., paragraphs 57-60

10. No comments were received with respect to this recommendation.

Establishment of a simplified estimate (assessment) system for substances listed in Schedules II, III and IV of the 1971 Convention<sup>7</sup>

11. One respondent<sup>8</sup> was in favour of establishing a simplified estimate (assessment) system for Schedule II substances but questioned the need to establish such a system for Schedule III and IV substances. Another respondent<sup>9</sup> felt that before a mandatory expansion of the estimate system to psychotropic substances could be considered, assistance should be provided to Governments in estimating more accurately their licit requirements for narcotic drugs and psychotropic substances.

More detailed reporting for substances listed in Schedules III and IV of the 1971 Convention<sup>10</sup>

12. The need for detailed reporting on the countries of origin of imports and the countries of destination of exports of substances listed in Schedules III and IV of the 1971 Convention was queried by one respondent<sup>11</sup> who believed that the additional efforts necessary to fulfill that requirement would outweigh potential benefits.

Harmonizing the scheduling criteria and decision-making process under the 1961 and 1971 Conventions<sup>12</sup>

13. No comments were received with respect to this recommendation.

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<sup>7</sup>Ibid., paragraphs 32-34

<sup>8</sup> Australia

<sup>9</sup> South Africa

<sup>10</sup> Ibid., paragraphs 61-62

<sup>11</sup> Australia

<sup>12</sup>Effectiveness ..., paragraphs 63-68

Review of existing definitions in the 1961 and 1971 Conventions

14. Two respondents<sup>13</sup> endorsed the proposal of the Executive Director to convene, in cooperation with the Board, a group of experts to review the adequacy of existing definitions in the 1961 and 1971 conventions. One of the respondents believed that the group should focus its work on cannabis products whereas the other emphasized the need to resolve and clarify ambiguities concerning coca bush cultivation and consumption of coca leaf.

Review of the adequacy of the control regime applicable to poppy straw

15. One respondent<sup>14</sup> commented, stating that tight controls were maintained over poppy straw which was commercially cultivated in the country and expressed interest in participating in such a group were it to be established.

Review of the operation of the 1988 Convention

16. One respondent<sup>15</sup> stressed the importance of a review of the 1988 Convention and considered that a mechanism to monitor the implementation of that Convention should be established urgently. Another respondent<sup>16</sup> believed that the Commission should include the review of the 1988 Convention as a regular item on its agenda.

Annual reports questionnaire

17. The proposals in the first report of the Executive Director regarding shortening of the annual reports questionnaire and informing the Commission each year on the failure of States parties to the international drug control treaties to submit annual reports to the Secretariat have

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<sup>13</sup> Peru, South Africa

<sup>14</sup> Australia

<sup>15</sup> Peru

<sup>16</sup> Australia

been implemented by the Secretariat. The Commission may wish to ponder on feedback it wants to give to States parties to the international drug control treaties that consistently fail to provide the Secretariat with the information requested.

18. The Executive Director agrees with the Board that the benefits resulting from the institutionalization of presently voluntary but widely applied control measures would outweigh the efforts required to establish and apply them universally. In connection with this and other treaty control measures, the Commission is invited to consider the recommendations contained in paragraphs 52 to 54 of the present report.

## **II. RECOMMENDATIONS RELATED TO THE INTERGOVERNMENTAL REVIEW OF DRUG CONTROL MATTERS**

19. The present chapter reviews recommendations on (a) the convening of a second international conference and (b) the establishment of a group to review the objectives of alternative development programmes, in the light of additional comments received by Governments<sup>17</sup>.

### Second international conference against drug abuse and illicit trafficking

20. At its thirty-eighth session, the Commission considered the proposal to convene a second international conference on drug abuse and illicit trafficking to review progress made by Governments and the United Nations system in combating drug abuse and illicit trafficking since the International Conference against Drug Abuse and Illicit Trafficking held in 1987. The Commission decided to keep the proposal under consideration.

21. Following its examination of drug control issues at its substantive session of 1995, the Economic and Social Council, in its resolution 1995/40, recommended that the General Assembly and the Commission on Narcotic Drugs give priority consideration to the proposal

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<sup>17</sup> paragraphs 50 and 79 (a) of the first report of the Executive Director

to convene such a conference. The General Assembly also considered the matter at its fiftieth session and requested the Commission, in its resolution 50/148 of 23 December 1995, to discuss the issue fully, as a matter of priority, taking into account international drug control priorities and resources as well as the financial and other implications of holding such a conference.

22. Two respondents<sup>18</sup> were of the opinion that an international conference would ensure continuing commitment of Governments to the fight against drug abuse and illicit trafficking. One respondent<sup>19</sup> considered that any such event should be forward-looking and promote innovative solutions instead of being overly influenced by traditional ways of addressing the problem. In its examination of the issue, the Commission is invited to consider the recommendation contained in paragraph 55 of the present report.

Expert group or similar forum to review alternative development programmes

23. In his first report, the Executive Director suggested that a monitoring and evaluation system should be set up in the form of an expert group, task force or other forum, in order to prioritize alternative development activities financed in part or fully by the Fund of UNDCP. The group would also establish objectives and expected results of alternative development programmes, monitor their progress and evaluate their effectiveness. Two respondents<sup>20</sup> were of the opinion that the establishment of such a group could facilitate an examination of the issue. The Executive Director brings a recommendation in that sense to the attention of the Commission (see paragraph 56 below).

**III. RECOMMENDATIONS RELATED TO ACTIVITIES OF THE UNITED NATIONS INTERNATIONAL DRUG CONTROL PROGRAMME**

24. The present section reflects Government comments on recommendations that would

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<sup>18</sup> Colombia, Peru

<sup>19</sup> Peru

<sup>20</sup> Peru, South Africa

impact on activities of UNDCP relating to (a) the legalization of non-medical use of drugs, (b) the adequacy of penalties for drug-related offences, (c) human resource development, (d) relations with non-governmental organizations and (e) inter-agency involvement and cooperation.<sup>21</sup>

Non-medical use of drugs

25. In his first report on the implementation of General Assembly resolution 48/12, the Executive Director suggested that a two-pronged approach be adopted to address the issue of legalization of non-medical use of drugs. Firstly, UNDCP should undertake a study on the implications of decriminalization and of harm-reduction policies in countries in which those policies have been adopted. While one respondent<sup>22</sup> supported that recommendation, another<sup>23</sup> believed that if implications of programmes based on a harm reduction approach were to be assessed, other models of drug abuse programmes should also be evaluated and that any assessment of drug abuse programmes, including harm reduction programmes, should be balanced and open-minded.

26. Secondly, the Executive Director recommended that concrete and sound arguments against legalization of the non-medical use of drugs should be provided. One respondent<sup>24</sup> concurred with the proposal, pointing out that at a time when pressure groups were using the media to obtain public support for the legalization of cannabis, it was important for Governments and non-governmental organizations to be armed with powerful counter-arguments. However, another respondent<sup>25</sup> felt that, if such research were undertaken, it would need to be impartial and address both sides of the legalization argument to allow for

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<sup>21</sup>paragraphs 52 (a),(b), 79 (b), 95, 96 and 113 (b) of the first report of the Executive Director

<sup>22</sup> South Africa

<sup>23</sup> Australia

<sup>24</sup> South Africa

<sup>25</sup> Australia

a balanced and open debate. In this connection, the attention of the Commission is directed to the recommendation of the Executive Director in paragraph 57 below.

Review of adequacy of penalties for drug-related offences

27. Two respondents<sup>26</sup> believed that the adequacy of penalties for drug-related offences should be further reviewed, in consultation with the Crime Prevention and Criminal Justice Division. The Executive Director brings a recommendation in that sense to the attention of the Commission (see paragraph 58 below).

Human resource development

28. One respondent<sup>27</sup> expressed satisfaction with the recommendations made by the Executive Director, including the proposal that UNDCP should draw up guidelines on possible approaches to be used in the training of demand reduction and law enforcement personnel. Regarding the selection of trainees for training programmes organized by UNDCP, it was emphasized that it should be left to each Government to designate personnel that would receive the necessary training.

Relations with non-governmental organizations

29. One respondent<sup>28</sup> believed that UNDCP should assist in developing a more pro-active dialogue between the Commission and non-governmental organizations but questioned the purpose of UNDCP maintaining its own list of accredited non-governmental organizations that would be modeled on the list of non-governmental organizations in consultative status

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<sup>26</sup>Peru and South Africa

<sup>27</sup> Peru

<sup>28</sup> South Africa

with the Economic and Social Council. Another respondent<sup>29</sup> considered that UNDCP should promote activities of non-governmental organizations and encourage activities of the private sector. The proposal of the Executive Director in this respect appears in paragraph 59 below.

**Inter-agency involvement and cooperation**

30. One respondent<sup>30</sup> was of the opinion that UNDCP should work more systematically at involving all development agencies in international drug control activities. The drug control aspect should be incorporated into the United Nations country strategy notes, and UNDP Resident Representatives, in their capacity as Resident coordinators of United Nations efforts at the country level, should be encouraged to give greater priority to drug control efforts. One respondent<sup>31</sup> endorsed enhanced and continued cooperation between the World Health Organization and UNDCP in areas of mutual competence. One respondent<sup>32</sup> indicated that it was important to ensure that UNDCP liaised with international organizations in order to reduce duplication of efforts and requests for and supply of information.

**IV. RECOMMENDATIONS ADDRESSED TO STATES**

31. A number of recommendations contained in the first report of the Executive Director on the implementation of General Assembly resolution 48/12 were addressed to Governments, with a view to improving international cooperation in the field of international drug control. In Commission resolution 13 (XXXVIII), Governments were invited to give due consideration to those recommendations, apply them where appropriate, and inform the Secretariat of their implementation as well as views on their relevance and adequacy. The recommendations of the Executive Director on this matter appear in paragraph 60 below.

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<sup>29</sup> Peru

<sup>30</sup> Peru

<sup>31</sup> Australia

<sup>32</sup> United Kingdom

#### A. Treaty implementation

32. The present section reflects the recommendations on the implementation of the provisions of the international drug control treaties, in the light of additional information provided by Governments on their adequacy and on action taken by them.<sup>33</sup>

33. Several respondents<sup>34</sup> emphasized the importance of international cooperation in drug control and outlined steps their Governments had taken to conclude bilateral and multilateral mutual legal assistance agreements as well as agreements promoting cooperation among their law enforcement agencies. Support was expressed for the Comprehensive Multidisciplinary Outline on Future Activities in Drug Abuse Control and the Global Programme of Action as instruments for implementing the international drug control treaties at the national level.<sup>35</sup>

34. Two respondents<sup>36</sup> stated that they were working towards or had in place a national drug control strategy that integrated and coordinated the fight against illicit drugs, including appropriate legislation, education programmes and drug law enforcement initiatives. Two respondents emphasized the importance of national master plans which, when carefully drawn up, could provide a valuable basis for developing a subregional strategy.<sup>37</sup>

35. Three respondents<sup>38</sup> informed the Secretariat about their application of alternative measures to conviction or punishment for abusers who commit drug-related offences. Two respondents<sup>39</sup> stated their non-intention of legalizing non-medical use of drugs. In response to the recommendation that Governments and political leaders should consider including clear

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<sup>33</sup> paragraphs 51, 52 (c), 79 (c) and 113 (a) of the first report of the Executive Director

<sup>34</sup>Australia, Austria, Brazil, Colombia, Peru, United Kingdom

<sup>35</sup>Austria, United Kingdom

<sup>36</sup>Austria, United Kingdom

<sup>37</sup>Peru, United Kingdom

<sup>38</sup>Peru, South Africa, United Kingdom

<sup>39</sup>Peru, United Kingdom

statements against legalization in important international declarations, one respondent<sup>40</sup> indicated that such matters should remain the prerogative of States.

### B. Demand reduction

36. The present section reflects the recommendations on possible action that might lead to an improvement in the ability of Governments to counter and reduce illicit demand for drugs, in the light of additional information provided by Governments.<sup>41</sup>

37. One respondent believed that national master plans should incorporate an adequate demand reduction programme adjusted to local, cultural and other needs.<sup>42</sup> Three respondents<sup>43</sup> provided information on their national drug control strategy and outlined activities that had recently been undertaken in the field of demand reduction. The idea that States inform UNDCP and the Commission of their national demand reduction programmes and experiences related thereto in order to share their experiences was supported.<sup>44</sup> However, while UNDCP undoubtedly had a role to play in the adoption of master plans, neither the Programme nor the Commission should place itself in a position of approving plans the control of which was a matter for individual States.<sup>45</sup> At its thirty-ninth session, the Commission will, for the first time, discuss the manner in which it should examine national drug control plans.

38. Two respondents<sup>46</sup> informed the Secretariat that they had implemented the recommendation that Governments should include in national regulations for new drug

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<sup>40</sup>Australia

<sup>41</sup> paragraphs 67 and 68 of the first report of the Executive Director

<sup>42</sup>Peru

<sup>43</sup>Belgium, South Africa, United Kingdom

<sup>44</sup>Australia, United Kingdom

<sup>45</sup>Australia

<sup>46</sup> Australia, United Kingdom

approval explicit requirements that dependence potential and abuse liability be assessed for new psychoactive substances.

39. Two respondents<sup>47</sup> gave details on training activities that had been undertaken to upgrade the awareness, knowledge and skills of volunteers and non-professionals involved in the work of non-governmental organizations in the field of education, prevention, treatment, rehabilitation of drug abusers. One respondent<sup>48</sup> stressed the importance of a continuous dialogue with professional services and the voluntary sector in order to ensure that training was responsive to identified needs.

40. In its resolution 1995/16, the Economic and Social Council requested the Executive Director to develop a draft declaration on the guiding principles of demand reduction, in consultation with Governments and organizations. Preliminary proposals for possible inclusion in the draft declaration are reflected in a note by the Executive Director (E/CN.7/1996/4) and further steps to be taken will be discussed under the relevant agenda item. The attention of the Commission is drawn to those recommendations contained in paragraph 60 that relate to demand reduction.

### C. Illicit traffic

41. The present section reflects the recommendations on illicit trafficking in narcotic drugs and psychotropic substances, in the light of information provided by Governments on their implementation.<sup>49</sup>

#### International criminal drug organizations

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<sup>47</sup> South Africa, United Kingdom

<sup>48</sup>United Kingdom

<sup>49</sup>paragraph 121 of the first report of the Executive Director and paragraphs 51 to 66 of the report of the subsidiary bodies (E/CN.7/1995/9)

42. Two respondents<sup>50</sup> were in the process of considering enacting laws and adopting procedures to facilitate effective drug law enforcement investigations directed at drug trafficking organizations, including the interception of communications and the use of electronic surveillance; they also stated their intention to reinforce and improve law enforcement efforts against organized crime by enhancing the role of national drug law enforcement agencies and by involving security agencies in the fight against organized crime.

Law enforcement techniques

43. Two respondents<sup>51</sup> indicated that there was a mechanism to coordinate their national drug law enforcement programmes. Profiles of drug trafficking organizations were used with a view to identifying their leaders and controlled delivery was an integral part of law enforcement techniques.

Community involvement

44. Two respondents<sup>52</sup> reported promoting the role of local communities in the prevention of drug abuse and related crime. Community involvement was, however, not limited to activities directed against drug-related crime but also, in many instances, linked to prevention activities.

D. Funding the activities of UNDCP

45. The present section reflects the recommendations on possible action that might lead to a more stable financial base for UNDCP, in the light of information provided by

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<sup>50</sup>Austria, United Kingdom

<sup>51</sup>Austria, United Kingdom

<sup>52</sup>Austria, United Kingdom

Governments.<sup>53</sup>

46. One respondent<sup>54</sup> was of the opinion that States should reaffirm their commitment to UNDCP by contributing to it in a continuing and consistent pattern and several respondents<sup>55</sup> believed that States that contributed to UNDCP should honour their pledges in a timely manner in order to assist the Programme in maintaining an adequate cash flow.

47. Two respondents<sup>56</sup> considered that 30 percent of contributions to the Fund of UNDCP should be unearmarked, general-purpose contributions in order to ensure a measure of flexibility in the management of the Programme's operational activities.

48. Several respondents<sup>57</sup> felt that Governments should intervene in the governing bodies of development agencies, international financial institutions such as the World Bank, regional development banks and other relevant forums in order to promote the inclusion of the drug dimension when development programmes are drawn up and two respondents<sup>58</sup> added that they had intervened on several occasions to that end. While supporting the idea, one respondent<sup>59</sup> cautioned that the inclusion of a drug dimension in economic development programmes should not lead to the additional indebtedness of the countries concerned.

49. The suggestion that States parties to the 1988 Convention should consider adopting legislation that would permit a fixed percentage of confiscated assets to be used to support the fight against drug abuse and illicit trafficking, both bilaterally and through UNDCP, was

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<sup>53</sup> paragraph 139 of the first report of the Executive Director

<sup>54</sup>Australia

<sup>55</sup>Australia, South Africa and the United Kingdom

<sup>56</sup> Australia, Peru

<sup>57</sup>Australia, South Africa, United Kingdom

<sup>58</sup>Australia, United Kingdom

<sup>59</sup>Peru

specifically addressed by two respondents. One respondent<sup>60</sup> felt that every Government should establish its own criteria and measures regarding the use of confiscated drug proceeds and that contributions to UNDCP should be made on an entirely voluntary basis. The other<sup>61</sup> did not believe it would be right to fund UNDCP from such a fluctuating and unpredictable source of income.

50. Several respondents<sup>62</sup> were of the opinion that States should consider encouraging activities of non-governmental organizations designed to raise funds for anti-drug programmes, including the promotion of educational and preventive campaigns, and provided information on action taken in that regard.

51. One respondent<sup>63</sup> agreed that Governments should be encouraged to provide complementary financial resources through co-financing or cost-sharing of programmes but pointed out that the extent of co-financing should be proportionate to the Government's economic situation. One respondent<sup>64</sup> added that it had already provided complimentary funding through its aid programme where bilateral priorities intersected with UNDCP.

## **V. ACTION BY THE COMMISSION**

52. The Commission is invited to comment on the following proposed amendments to the 1961 and 1971 conventions:

- (a) Providing for annual instead of quarterly statistical reporting on international licit trade in narcotic drugs<sup>65</sup>;

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<sup>60</sup>Peru

<sup>61</sup>United Kingdom

<sup>62</sup> Australia, Peru, South Africa, United Kingdom

<sup>63</sup> Peru

<sup>64</sup> Australia

<sup>65</sup>Effectiveness ..., paragraphs 32-34

- (b) Establishing a simplified estimate (assessment) system for substances listed in Schedules II, III and IV of the 1971 Convention as well as an import and export authorization system for substances listed in Schedules III and IV of the 1971 Convention<sup>66</sup>;
- (c) Requiring detailed reporting on the countries of origin of imports and the countries of destination of export of substances listed in Schedules III and IV of the 1971 Convention<sup>67</sup>;
- (d) Harmonizing the scheduling criteria and decision-making process under the 1961 and 1971 conventions<sup>68</sup>.

53. The Commission is invited to decide whether UNDCP should take steps to initiate a review of specific treaty-related drug control matters by convening:

- (a) a group of experts to review, in cooperation with the Board, the adequacy of existing definitions in the 1961 and 1971 conventions, with particular reference to various cannabis and coca leaf products<sup>69</sup>;
- (b) a group of experts to review, in cooperation with the Board, the adequacy of the control regime applicable to poppy straw<sup>70</sup>.

54. The Commission is invited to address the question of how to implement its treaty

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<sup>66</sup> Ibid., paras. 55-57

<sup>67</sup>Ibid., paras.57-60

<sup>68</sup> Ibid., paras.63-68

<sup>69</sup>as outlined in Effectiveness of the International Drug Control Treaties (United Nations publication, Sales No. E.95.XI.5), paragraphs 38-49

<sup>70</sup> article 25 of the 1961 Convention

obligation<sup>71</sup> to review the operation of the 1988 Convention and in particular to identify the mechanism by which it will carry out the mandated review. In addition, the Commission is invited to consider whether it is necessary to include a separate item in its agenda on the review of the operation of the 1988 Convention.

55. As requested by both the Economic and Social Council and the General Assembly, the Commission should consider, as a matter of priority, the advisability of convening a second international conference against drug abuse and illicit trafficking, taking into account international drug control priorities and resources, the financial and other implications of holding such a conference as well as other options that would ensure continuing commitment by Governments to drug control at all levels, and further strengthen the implementation of existing international conventions and other international instruments for cooperation on drug control.

56. The Commission is invited to decide whether UNDCP should convene a group of experts to establish objectives and expected results of alternative development programmes and to monitor and evaluate their effectiveness.

57. The Commission is invited to decide whether UNDCP should research the issue of legalization of the non-medical use of drugs, taking into account arguments put forward by proponents and opponents of legalization as well as consequences of legalization of the non-medical use of drugs in countries where those policies have been adopted, and disseminate the results of that research to Governments and other interested parties.

58. The Commission is invited to decide whether UNDCP should further review the adequacy of penalties for drug-related offences, in consultation with the Crime Prevention and Criminal Justice Division, and report its findings jointly to the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice.

59. The Commission is invited to consider how UNDCP could further develop an active

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<sup>71</sup>article 21 (a) of the 1988 Convention

dialogue with non-governmental organizations, in order to encourage their active participation in drug abuse control programmes and projects.

60. The Commission is also invited to consider the following recommendations to be addressed to States for consideration and implementation:

- (a) States should continue to cooperate by concluding bilateral and multilateral agreements, particularly concerning mutual legal assistance and money-laundering, with a view to enhancing their implementation of the international drug control treaties;
- (b) States are invited to make increased use of the Comprehensive Multidisciplinary Outline on Future Activities in Drug Abuse Control and the Global Programme of Action at the national level as instruments for implementing the international drug control treaties;
- (c) States should continue to explore the possibility of applying alternative measures to conviction or punishment for drug-related offences;
- (d) States should draw up, with the assistance of UNDCP where necessary, national drug control strategies or master plans defining their objectives and priorities and determining the steps to be taken to implement them, thereby also providing a basis for developing a subregional strategy;
- (e) States should consider including in national drug control strategies or master plans a demand reduction programme adjusted to local conditions and needs which includes activities at both Government and private-sector levels;
- (f) States are invited to inform UNDCP of national demand reduction programmes in order to share their experiences with other States;
- (g) States should reaffirm their commitment to UNDCP by contributing to it

in a continuing and consistent pattern;

(h) States should, to the extent feasible, honour their pledges in a timely manner in order to enable UNDCP to maintain an adequate cash-flow;

(i) States that contribute to UNDCP should consider that, in order to ensure a measure of flexibility in the management of UNDCP operational activities, the total contributions from individual donor countries should allow the utilization of 30 percent by UNDCP as general-purpose contributions;

- (j) States that receive assistance from UNDCP should provide, to the extent possible, complementary financial resources through co-financing or cost-sharing of programmes at the national and subregional level, in either cash or kind.