

## INTERNATIONAL NARCOTICS SUPERVISION

*The first of nine multilateral international treaties relating to narcotics supervision was signed at The Hague in 1912. On 30th March 1961, a new international convention was opened to signature by governments. It was described as "single" as it replaced its predecessors.*

*All its provisions are now applicable, the U.N. Economic and Social Council having decided in 1966 that from 2nd March 1968 the International Narcotics Control Board would replace earlier U.N. bodies concerned with narcotics control.*

*In June 1964 International Review published an article in which the author drew a parallel between the essentially humanitarian aims of international efforts at narcotics control and the Red Cross defence against the dangers threatening human dignity. Now that the earlier treaties are superseded by the 1961 Convention, we give an extract from an interesting report published by the United Nations<sup>1</sup> on developments in narcotics supervision over the past forty years.*

The foundations of the present international narcotics control were laid down in the Hague International Opium Convention of 1912 and it was in pursuance of the principles embodied in that treaty that the 1925 Convention created the Permanent Central Board and required Parties to provide the Board with information in regard to narcotic substances from the stage of production to utilization and on the seizures of narcotic drugs in the international illicit traffic.

In particular this Convention assigned to the Board the role of maintaining a continuous watch on the course of international trade and of applying sanctions if it should find any country

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<sup>1</sup> Final Report of the Permanent Central Narcotics Board and Drug Supervisory Body; United Nations, Geneva, 1967.

becoming, or in danger of becoming, a centre of the illicit traffic; and it authorized the Board to investigate any matter relating to narcotic drugs which might be brought to its attention by a Party to the treaty, thereby conferring on it a measure of quasi-judicial authority in addition to administrative functions.

The 1925 Convention has proved to be a valuable and potent instrument. Nevertheless it had serious lacunae, particularly in that it did not limit the use of opium, coca leaf and cannabis exclusively to medical and scientific requirements. The League of Nations and its Advisory Committee on the Traffic in Opium and Other Dangerous Drugs therefore continuously directed their efforts towards improving and reinforcing the control measures then introduced, and although by 1929 the 1925 Convention had begun to take practical effect on the traffic in narcotic opium alkaloids and their derivatives, which until then had continued to rise substantially, it was decided to convene another conference in 1931, which drew up a new Convention designed to limit the manufacture of narcotic drugs and the import of such drugs to the quantities required for medical and scientific purposes. The limitations imposed by the treaty were based on requirements estimated in advance by governments, and the Supervisory Body was set up to examine these estimates, and where none had been furnished, to establish estimates with legally binding effect while the Board was entrusted with supervising the application of the limitation system.

The period immediately before the outbreak of the Second World War saw the discovery of the first narcotic drugs obtained by synthesis but not derived from opium or coca leaves. Although the terms of the 1925 Convention permitted extension of the control system to these substances, its application by governments was not obligatory. The number of synthetic narcotic drugs increased rapidly and the United Nations, which by that time had assumed the functions of the League of Nations, promptly directed its attention to the possibility of extending to these substances the control measures already applied to narcotic drugs derived from opium and coca leaves. The 1948 Protocol was adopted for this purpose, and the control exercised by the Board has in this way been extended to an ever-growing number of drugs.

## MISCELLANEOUS

Opium however, which continued to feed the illicit traffic, remained the constant preoccupation of governments and the international organs and after a thorough examination had been made of possible methods of diminishing the flow of opium to the illicit market, a meeting of plenipotentiaries in 1953 adopted a Protocol aimed at limiting and regulating both the cultivation of the poppy plant and the production of, international and wholesale trade in, and use of opium. Because of delay in securing the requisite number of ratifications the Protocol did not enter into force until 1963. Broadly stated its provisions were designed to:

(a) limit the production and supply of opium to the quantities needed for medical and scientific purposes;

(b) prevent the diversion of opium into the illicit channels at the stage of primary production;

(c) prohibit the use of opium in any form for other than medical or scientific purposes;

(d) effect some measure of control over poppy straw;

(e) authorize international action not only in respect of breaches of the Protocol, but also to meet any unsatisfactory situation arising in the control of opium.

For the achievement of these objectives (which in the case of (a) and (c) were subject to certain defined exceptions during a relatively short transitional period), the Protocol required opium-producing countries to set up national opium monopolies; limited the number of countries authorized to produce opium for export; restricted stocks of opium to maximum amounts depending on the category to which the country in question belonged; required, as a general principle, the destruction of opium seized from the illicit traffic; and applied to opium a system of estimates and statistical returns similar to that prescribed by the 1931 Convention for manufactured narcotic drugs.

In fact, for its international implementation the Protocol relied on the Board to a greater extent than any other narcotics treaty. Some of the additional functions which it entrusted to the Board differed in character from those prescribed by the earlier treaties since, in addition to considerations of public health and

administrative capacity, the Board had also to take account of economic and social factors wherever relevant.

The international control organs had in the meantime become convinced of the need to codify the international treaties in order to facilitate their application and to eliminate weaknesses in the control system, and in 1961 the Single Convention on Narcotic Drugs was drawn up. This Convention embraced most of the provisions of the earlier treaties and in particular closed two significant gaps by limiting the use of coca leaves and cannabis exclusively to medical and scientific needs. Like the Protocol of 1953 it contained transitional provisions requiring those states which temporarily authorize the non-medical usage of opium, coca leaf and cannabis to eliminate this practice within prescribed periods of time.

The Single Convention called upon the Permanent Central Board and the Supervisory Body to perform the functions of the International Narcotics Control Board created by the Convention until such date as the new Board could enter upon its duties. The two bodies have accordingly been applying the provisions of the Single Convention since 13 December 1964 when it came into force and as explained in earlier reports they have done so in a gradual manner. On 2 March 1968 the new International Narcotics Control Board took over these functions from the Permanent Central Board and Supervisory Body and from that date also assumes the responsibilities conferred upon these two organs by the earlier treaties.

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