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UNITED NATIONS: US INITIATIVE TO STRENGTHEN SINGLE CONVENTION ON NARCOTIC DRUGS

The US campaign for stricter controls over the illegal use of narcotics and dangerous drugs throughout the world is likely to encounter heavy seas as it moves closer toward its objective of establishing a more comprehensive international inspection system. The spring session of the Economic and Social Council (ECOSOC), which began on April 26, is expected to approve a US request to schedule an international conference early next year in order to consider several US and any other proposed amendments to the Single Convention on Narcotic Drugs of 1961.

The US amendments would provide the International Narcotics Control Board (INCB) with mandatory powers where it now has only the power to request voluntary compliance. Inasmuch as the amendments proposed by the US concentrate on the cultivation of opium poppies and the production of opium, they will probably meet varying degrees of opposition from opium-producing countries such as Turkey, Thailand, Burma and Laos. What is more, they are likely to be joined by many other states which have long been reluctant to surrender their enforcement powers in this area to an international body. Preliminary indications are that the negotiations promise to be both prolonged and difficult.

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US Proposed Amendments. The Single Convention of 1961 on drug control (ratified by 82 states) codified earlier conventions and made significant advances in the area of limiting the production, manufacture, export, import, distribution of, trade in, use, and possession of narcotic drugs for medical and scientific purposes and also provided for continuous international cooperation. The principal flaw of the Single Convention is its essentially voluntary character with respect to cultivation of the opium poppy, production of opium, manufacture of opium-derived drugs, and import and export of these substances.

Hence, current US proposals aim to remedy this situation not only by using the existing measures wherever possible but also by providing new authority to control the production and illegal traffic of narcotic drugs. To this end the US proposes strengthening the authority of the INCB--comprised of eleven technical experts serving in their individual capacities--because the Board repeatedly has demonstrated its ability to act as an impartial body when seeking to restrict narcotic activity to medical and scientific requirements. By increasing its authority, the Board would be able (a) to demand full information on the cultivation of the opium poppy and the production of opium, (b) to order reductions in cultivation or production in cases where a significant danger of illicit diversion existed or where world needs were already being met, (c) to call for worldwide remedial measures up to and including a mandatory embargo against the putative offender, and (d) to make a local

inquiry of drug-related activities, with the agreement of the state concerned. Regarding any action taken by the Board, the country concerned would retain the right to appeal to ECOSOC as the political body primarily responsible for supervising the Single Convention.

In addition, the US proposes to make narcotic offenses already enumerated in the Single Convention immediately extraditable by strengthening its extradition provisions along the lines of the new Convention for Supervision of Unlawful Seizure of Aircraft adopted at the Hague in December 1970.

US Initiative. The US took the first step in its current campaign to strengthen drug control measures at the Special Session of the Commission on Narcotic Drugs (CND) in September 1970. At the instigation of the US, the CND meeting approved by an overwhelming majority a resolution calling for the establishment by the UN of a large-scale plan of coordinated action to attack the problem of drug abuse. The new plan focused specifically on the abuse of narcotic drugs and psychotropic substances (e.g. LSD, amphetamines, tranquilizers) at its three most critical points: supply, demand, and illegal use. Recognizing that the proposed approach would call for financial resources over and above those now available within the UN system, the US also proposed (and ECOSOC and the General Assembly later approved) the establishment of a UN Special Fund for Drug Abuse Control under the administration of the Secretary General, who has also

been charged with developing a comprehensive long-range plan of action against drug abuse.

Conference Appears Assured. To date, no firm commitments from Council members to support or co-sponsor the US resolution for convening a conference have materialized. Nevertheless, the requisite support for holding it is virtually certain as is support for a request that preliminary talks be held on the proposed amendments to the Single Convention within the framework of the CND meeting this fall. Most states, however, will probably support the conference without prejudice to their ultimate positions on the US amendments.

The Reaction of Opium-Producing Countries. While the producing countries thus far have not reacted to the US proposed amendments, it is possible to anticipate what their attitude on these issues is likely to be.

Turkey has traditionally objected to focusing international attention exclusively upon opium poppies and production, insisting that opium-derived or synthetic drugs must be regulated with equal force. Still, the newly elected Prime Minister, Erim, in his first major address to the Parliament on April 2, referred to the "terrible disaster for the youth of the world" of the illicit narcotics trade, thus publicly acknowledging the human and social aspects of the drug problem which the previous Demirel government had highlighted only in its last months of office. On the other hand, the new Turkish government is not likely to show much enthusiasm for proposals empowering the INCB to probe and control Turkish sources. That part of the proposed strengthen-

ing of drug control measures would tend to be seen, especially by the Turkish military, as a violation of a more fundamental principle of Turkish self-interest: Turkish control of Turkish territory. The new government remains wedded to control of opium production, not its elimination. On the other hand, the US initiative is responsive to concerns of Turkey and others that efforts to strengthen international narcotics control be pursued in a multilateral rather than a bilateral context.

Of the Southeast Asian producers, Burma, which is responsible for a huge part of the illicit market, has consistently refused to provide the Board with statistics. However, Burma like Afghanistan, Laos and Thailand--the other three producing countries--has at best only tenuous control over the opium-growing areas in its country. In addition, the Thai Lao, and Burmese governments, while giving lip-service to the objectives of the US amendments, are likely to oppose many of the proposed amendments, particularly those involving sanctions.

Possibly indicative of the reaction of many Latin American countries are the preliminary views expressed by a Mexican Foreign Ministry official regarding local inquiry. He pointed out that his government has consistently rejected the principle of local inquiry, even in implementing the recent US-Mexican joint efforts against illicit drug trafficking. He also noted that the issue of extradition was "touchy", adding that while the US-Mexican treaty provides for the extradition of drug offenders, the Mexican government in practice has

chosen not to comply with requests involving Mexican nationals.

Other Reactions. Some of the US proposed amendments are likely to run into opposition from countries other than producers. Many states, particularly the Soviets and Eastern Europeans, already had rejected a provision for local inquiry on the grounds that it was too strong; consequently, it was not included in the Single Convention when it was signed in 1961. A provision for a mandatory embargo met a similar fate.

Possibly indicative of the future position of the European Communist countries on the US amendments to the Single Convention are Soviet and Romanian reactions to a resolution on international drug traffic at the recent International Parliamentary Union (IPU) conference in Caracas. The resolution, which was finally adopted unanimously, encourages governments to support proposals for amendments designed to strengthen the Single Convention; however, in supporting it both the Soviets and the Romanians took a casual attitude toward the drug problem in their countries, which they described as being either non-existent or not critical. In the end, the Soviets still might cooperate in strengthening drug control measures, although they will undoubtedly balk at those US proposals that envisage mandatory controls, sanctions, or local inspection.

Prospects. On balance, there is widespread hope that the rapid spread of narcotics addictions since 1961 has contributed to

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a greater awareness of the drug problem and increased the need for stronger controls. Whether the concern of many states over the narcotics problem can overcome their reluctance to surrender the degree of sovereignty involved in the US proposed amendments remains to be seen. Preliminary indications are that the negotiations promise to be protracted and difficult.

INR/Strategic and General Research
Director : F. Perez
Analyst : J. Donovan
Extension : 21195
Released by: *ju*

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