

INTRODUCTION

At their meeting in Nassau in 1985 the Commonwealth Heads of Governments expressed their deep concern at the rising incidents of drug abuse and illicit drug trafficking which was seriously threatening the social fabric and security of many countries. They agreed to promote co-operation between all Commonwealth countries. To this end, they invited the Commonwealth Law Ministers to explore measures to counter this trend and in particular supported the work of the relevant international agencies.

The main stay of international action in this context by the United Nations turns on the international drug Conventions. These are:

1. The Single Convention on Narcotic Drugs 1961; as amended by Protocol of 1972; and
2. The Convention on Psychotropic Substances, 1971.

The Single Convention on Narcotic Drugs 1961 is predominantly concerned with the control of those narcotic substances primarily derived from natural sources, such as, opium, poppy and cannabis plant, and certain related synthetic narcotics.

By contrast, the 1971 Convention was found to be necessary owing to the proliferation of new synthetic drugs which have an effect on the nervous system and which were found to be also dependence producing. These have come to be known as psychotropic substances: they include a wider range of substances than are included in The Single Convention on Narcotic Drugs.

Both these Conventions however have a common purpose which is to ensure that necessary drugs are made available for medical purposes under appropriate levels of control while at the same time minimizing the possibilities of drug dependence and habitation. These Conventions seek to avoid over production and excess manufacture of substances included in their schedules to create a system of control which would prevent their being moved into illicit traffic.

The Conventions also prescribe a system of enforcement measures in relation to abuse of drugs and substances including illicit trafficking which can only be implemented at a national level in accordance with each individual country's legislative machinery. Proposals are also made for mechanisms relating to preventive education and rehabilitation of victims of drug abuse.

There are obvious advantages in becoming parties to these Conventions. These include:

1. Being better able to operate control mechanisms in concert with other contracting parties,
2. Having immediate access to the data system available from the international drug agencies, and
3. The protection of licensing systems for import and export including related notified conditions.

It is recognised that to become parties will carry additional responsibility, though acceptances of these responsibilities by one country will benefit other nations and

strengthen the international effort against drug abuse and illicit trafficking. Certainly these will require the country concerned to legislate in conformity with the Conventions. In particular, it will be necessary to take measures in the areas of drug education, training, enforcement measures and, in certain cases, crop substitution. It will also have some financial and resources implications. These will flow from the need to allocate sufficient additional funds to implement these measures although this can be achieved by adopting a more efficient management of existing resources. However some assistance with these aspects may be available from various international agencies.

Within the limits of the resources available to it, the Commonwealth Secretariat may be able to assist Member States in providing advice relating to the implementation of the Conventions. To this end this explanatory documentation has been produced as a first step in providing such assistance.

A further initiative taken by the Commonwealth is the recent adoption by Law Ministers of a Scheme relating to Mutual Assistance in Criminal Matters as between Commonwealth jurisdictions. This scheme contains provisions which support the concept of the Convention in relation to law enforcement and will be the subject of separate explanatory documentation.