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Reference: C.N.47.2011.TREATIES-17 (Depositary Notification)

SINGLE CONVENTION ON NARCOTIC DRUGS, 1961, AS AMENDED BY THE
PROTOCOL AMENDING THE SINGLE CONVENTION ON NARCOTIC
DRUGS, 1961

NEW YORK, 8 AUGUST 1975

PROPOSAL OF AMENDMENTS BY THE PLURINATIONAL STATE OF BOLIVIA TO ARTICLE 49,
PARAGRAPHS 1 (C) AND 2 (E)¹: MEXICO

The Secretary-General of the United Nations, acting in his capacity as depositary,
communicates the following:

Reference is made to the decision by the Economic and Social Council on the proposal of the Government of the Plurinational State of Bolivia to amend article 49, paragraphs 1 (c) and 2 (e) of the above Convention, to initiate the procedures established in article 47, paragraph 1 (b), which states that the parties shall be asked whether they accept the proposed amendment and also asked to submit to the Economic and Social Council any comments on the proposal. The Secretary-General communicated to all States concerned the text of the Council's decision in depositary notification C.N.474.2009. TREATIES-3 dated 30 July 2009.

On 31 January 2011, the Secretary-General received a note verbale, dated 31 January 2011, from the Permanent Mission of Mexico to the United Nations. The Secretary-General subsequently communicated to the Council, by way of a Note by the Secretary-General, the note verbale from the Permanent Mission of Mexico.

On 11 February 2011, the Secretary-General received from the Economic and Social Council
..... the attached Council document E/2011/60, dated 1 February 2011, for circulation to all States parties.

28 February 2011

A handwritten signature in dark ink, appearing to be "J.G.W.", is written below the date.

¹ Refer to depositary notification C.N.194.2009.TREATIES-2 of 6 April 2009
(Proposal of amendments by Bolivia to article 49, paragraphs 1 (c) and 2 (e)).

Attention: Treaty Services of Ministries of Foreign Affairs and of international organizations concerned. Depositary notifications are issued in electronic format only. Depositary notifications are made available to the Permanent Missions to the United Nations in the United Nations Treaty Collection on the Internet at <http://treaties.un.org>, under "Depositary Notifications (CNs)". In addition, the Permanent Missions, as well as other interested individuals, can subscribe to receive depositary notifications by e-mail through the Treaty Section's "Automated Subscription Services", which is also available at <http://treaties.un.org>.



Economic and Social Council

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Organizational session for 2011

18 January, 15-18 February and 27 and 28 April 2011

Agenda item 3

Basic programme of work of the Council

Single Convention on Narcotic Drugs, 1961, as amended by the Protocol amending the Single Convention on Narcotic Drugs, 1961 (New York, 8 August 1975)

Proposal of amendments by the Plurinational State of Bolivia to article 49, paragraphs 1 (c) and 2 (e)

Note by the Secretary-General

In its decision 2009/250 of 30 July 2009, the Economic and Social Council, taking note of the note by the Secretary-General (E/2009/78) on the proposal of the Government of the Plurinational State of Bolivia to amend article 49, paragraphs 1 (c) and 2 (e), of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,¹ decided, in accordance with article 47, paragraph 1, of the Convention as amended, to initiate the procedures established in paragraph 1 (b) of that article, which states that the parties shall be asked whether they accept the proposed amendment and also asked to submit to the Economic and Social Council any comments on the proposal.

The Secretary-General, acting in his capacity as depositary, communicated to the parties to the Convention the text of Council decision 2009/250 in a Depositary Notification² dated 30 July 2009.

The Secretary-General is hereby communicating to the Council a note verbale dated 31 January 2011 from the Permanent Mission of Mexico to the United Nations (see annex).

¹ United Nations, *Treaty Series*, vol. 976, No. 14152.

² C.N.474.2009.TREATIES-3.



Annex

Note verbale dated 31 January 2011 from the Permanent Mission of Mexico to the United Nations addressed to the Secretary-General of the Economic and Social Council

The Permanent Mission of Mexico to the United Nations presents its compliments to the Secretary-General in his capacity as depositary of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol and has the honour to refer to his note C.N.474.2009.TREATIES-3 dated 30 July 2009, which informed the States parties to the Single Convention that the Economic and Social Council had decided to initiate a consultation process on the proposal to amend article 49, paragraphs 1 (c) and 2 (e), of the said Convention.

The Government of Mexico respects and supports the preservation and protection of indigenous peoples' traditional customs and practices. In keeping with its Constitution, it promotes a comprehensive policy of recognizing the rights of indigenous peoples, at both the domestic and the international level. At the same time, the Government of Mexico considers that the respect and protection owed to the customs and practices of indigenous peoples must be compatible with the need to ensure that the cultivation of coca leaf does not lead to its illicit use, and deems it vital to consider alternative approaches to the eradication of cocaine production.

The Single Convention on Narcotic Drugs of 1961 is an instrument of universal scope, one of whose objectives is the protection of human health. Mexico is convinced that only by maintaining the integrity of the Convention will its objectives be met.

In this regard, I wish to inform you, for the purposes envisaged in the said Convention, that the Government of Mexico, having considered the aforementioned proposed amendments, deems it inadvisable to initiate a process to amend the Single Convention of 1961.



Consejo Económico y Social

Distr. general
1 de febrero de 2011

Original: español

Período de sesiones de organización de 2011

18 de enero, 15 a 18 de febrero y 27 y 28 de abril de 2011

Tema 3 del programa

Programa básico de trabajo del Consejo

Convención Única de 1961 sobre Estupefacientes, enmendada por el Protocolo de Modificación de la Convención Única de 1961 sobre Estupefacientes (Nueva York, 8 de agosto de 1975)

Propuesta de enmienda del artículo 49, párrafos 1 c) y 2 e) presentada por el Estado Plurinacional de Bolivia

Nota del Secretario General

En su decisión 2009/250, de 30 de julio de 2009, el Consejo Económico y Social, tomando nota de la nota del Secretario General (E/2009/78) sobre la propuesta del Gobierno del Estado Plurinacional de Bolivia de enmendar el artículo 49, párrafos 1 c) y 2 e), de la Convención Única de 1961 sobre Estupefacientes, modificada por el Protocolo de 1972¹, decidió, de conformidad con lo dispuesto en el artículo 47, párrafo 1, de la Convención en su forma enmendada, iniciar los procedimientos establecidos en el párrafo 1 b) de dicho artículo, en que se dispone que se pregunte a las partes si aceptan la modificación propuesta y se les pida que presenten al Consejo Económico y Social comentarios acerca de la misma.

El Secretario General, actuando en su calidad de depositario, comunicó a las partes en la Convención el texto de la decisión 2009/250 del Consejo en una notificación del depositario² de fecha de 30 de julio de 2009.

El Secretario General comunica por la presente al Consejo Económico y Social una nota verbal de fecha 31 de enero de 2011 enviada por la Misión Permanente de México ante las Naciones Unidas (véase el anexo).

¹ Naciones Unidas, *Treaty Series*, vol. 976, núm. 14152.

² C.N.474.2009.TREATIES-3.



Anexo

Nota verbal de fecha 31 de enero de 2011 dirigida al Secretario General por la Misión Permanente de México ante las Naciones Unidas

La Misión Permanente de México ante las Naciones Unidas saluda atentamente al Secretario General en su carácter de depositario de la Convención Única de 1961, sobre Estupefacientes, modificada por el Protocolo de 1972, y se permite hacer referencia a su nota C.N.474.2009.TREATIES-3 de fecha 30 de julio de 2009, mediante la cual informa a los Estados partes de la Convención Única de la decisión del Consejo Económico y Social de iniciar un proceso de consultas sobre la propuesta de modificar el artículo 49, párrafos 1 c) y 2 e), de dicho instrumento.

El Gobierno de México respeta y apoya el cuidado y la protección de los usos y costumbres tradicionales de los pueblos indígenas. En congruencia con su Constitución, promueve en la esfera interna e internacional una política integral de reconocimiento de los derechos de esos pueblos. Al mismo tiempo, el Gobierno de México considera que el respeto y la protección que merecen los usos y costumbres de los pueblos indígenas deben ser compatibles con la necesidad de evitar que el cultivo de hoja de coca derive en usos ilícitos, y estima indispensable analizar mecanismos alternativos que contribuyan a erradicar la producción de cocaína.

La Convención Única de 1961 sobre Estupefacientes es un instrumento de alcance universal entre cuyos objetivos se encuentra la preservación de la salud humana. México está convencido de que solo manteniendo su integridad se alcanzarán sus propósitos.

En este contexto, y después de analizar las propuestas de modificación antes mencionadas, el Gobierno de México estima que no resulta oportuno iniciar ningún proceso de enmiendas a la Convención Única de 1961, lo que hago de su conocimiento para los efectos previstos en el artículo 47 de dicho instrumento.
