

Reference: C.N.750.2012.TREATIES-VI.18 (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

ITALY: OBJECTION TO THE RESERVATION CONTAINED IN THE COMMUNICATION BY THE
PLURINATIONAL STATE OF BOLIVIA

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

The above action was effected on 28 December 2012.

(Original: English)

“The Permanent Mission of Italy to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honor to refer to the Secretary-General Depositary Notification dated 29 June 2011 (C.N. 421.2011.TREATIES-26), which communicated the denunciation by Bolivia of the Single Convention on Narcotic Drugs, 1961.

Italy praises the efforts by Bolivia to reduce the production and trade of illicit coca products. Italy fully respects the cultural identity and traditions of Indigenous Populations, guaranteed by the United Nations Declaration on the rights of Indigenous Peoples. However, Italy believes that the dialogue aimed at further promoting the respect of Indigenous traditions should be fully coherent with and preserve the integrity of the Single Convention on Narcotic Drugs.

States that are a Party to the Single Convention undertake an obligation to limit the trade and use of narcotic drugs exclusively for medical and scientific purposes. States Parties also recognize that measures against abuse of narcotic drugs require coordinated and universal action. Schedule I to the Single Convention lists coca leaf as a narcotic drug.

¹ Refer to depositary notification C.N.829.2011.TREATIES-28 of 10 January 2012
(Communication: Bolivia (Plurinational State of)).

Italy is therefore of the opinion that, in proposing reservations, States Parties should be guided by the object and purpose of the Single Convention. The Bolivian approach poses the risk of creating a precedent and may undermine the international anti-narcotics legal framework. This would send a negative signal, out of step with the actions undertaken so far in the fight against drug trafficking and drug use.

Moreover, the procedure applied by Bolivia - denunciation and rejoin with reservation of the 1961 Convention - is contrary to the principle of "good faith" under article 26 of the Vienna Convention on the Law of the Treaties, since it appears directed to avoid the limits established in article 49 and 50 of the Single Convention.

In light of these considerations, the Government of Italy hereby informs the Secretary-General in accordance with Article 50, paragraph 3 of the Single Convention, that it objects to the proposed reservation by Bolivia of the 1961 Single Convention on Narcotic Drugs and requests that the Secretary-General inform States Parties to the Single Convention accordingly."

2 January 2013

A handwritten signature in black ink, appearing to be 'F. G. W.', is written below the date.

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