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COMMISSION ON NARCOTIC DRUGS

Sixth Session

SUMMARY RECORD OF THE HUNDRED AND THIRTIETH MEETING

Held at Headquarters, New York,
on Thursday, 26 April 1951, at 2.30 p.m.

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Mr. KAMEL FAHMY

Egypt

Mr. BOURGOIS

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Iran

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Mr. ZAKUSOV

United Kingdom of Great Britain and
Northern Ireland

Mr. HOARE

United States of America

Mr. ANSLINGER

Yugoslavia

Mr. NIKOLIC

Also present:

Mr. MAY

Permanent Central Opium Board

Secretariat:

Mr. STEINIG

Director of the Division of
Narcotic Drugs

Mr. BOLTON

Secretary of the Commission

PROGRESS REPORT OF THE DIVISION OF NARCOTIC DRUGS (E/CN.7/225)

The CHAIRMAN before opening the discussion on item 4 of the agenda -- Progress Report of the Division of Narcotic Drugs -- reminded the members that the representatives of Burma and Thailand had been invited to be present at meetings at which the Commission dealt with the agenda item relating to illicit traffic.

Mr. ANSLINGER (United States of America) asked whether the Commission could examine item 5 of its agenda (Abolition of opium smoking in the Far East) together with item 7 (Illicit traffic), as the remarks he had to make applied to both subjects.

It was decided to postpone the discussion of item 5 of the agenda (Abolition of opium smoking in the Far East) until the meeting of 1 May 1951, at which item 7 (Illicit traffic) would be considered.

The CHAIRMAN announced that the Commission would hold no meetings on 27 and 30 April, as those days would be entirely occupied by meetings of the Committee.

Mr. SHARMAN (Canada) regretted that decision, which would delay the Commission's work and mean that some members had nothing to do.

Mr. VAILLE (France) invited the Canadian representative to take part in the Committee of the Manufacturing Countries.

/The CHAIRMAN

The CHAIRMAN said that the Commission was unable to hold plenary meetings on the two days in question simply because its work had reached a certain stage. It was essential now to hold one or two informal meetings in order to evolve a final text of the French representative's draft and of any counter-proposals which might be made by producing countries. The Commission had two months in which to complete its work; so far, it had dealt most efficiently with the numerous problems it had to solve.

The Canadian representative could naturally, if he so desired, take part in the Committee's work.

He then called for a chapter by chapter examination of the Progress Report of the Division of Narcotic Drugs for the period 1 October 1950 to 28 February 1951 (E/CN.7/225).

Introduction

Mr. VAILLE (France) feared that the text of paragraph 4 was unduly optimistic. The fact was that the Protocol, in spite of the changes made in order to adapt its provisions to synthetic narcotics, did not ensure full and effective control in that field. Other measures would be necessary to combat that new danger.

Chapter I. Budget

There was no comment.

Chapter II. International bodies

Report of the Commission to the Economic and Social Council on its fifth session

Mr. SHARMAN (Canada) remarked that the object of the report was to record for the members of the Commission all that had happened during that period. It was thus a very useful aide-mémoire. He drew attention to an error in the English text: the fifth session of the Commission had been held from 1 to 15 December 1950 and not from 1 to 15 November.

Permanent Central Opium Board and Supervisory Body

Mr. SHARMAN (Canada) was surprised to note that the report failed to mention the session of the Supervisory Body held at Geneva. It was strange that the report should overlook that important session, at which world estimates had been considered, with the participation of the World Health Organization.

/Mr. STEINIG

Mr. STEINIG (Secretariat) said that the report dealt with the work of the Secretariat Division of Narcotic Drugs; it therefore naturally referred only to meetings at which the Secretariat had been represented. As the latter had not taken part in the Supervisory Body's session, there had been no reason to mention that session in the report.

The CHAIRMAN remarked that the Secretariat was not kept regularly informed of the Supervisory Body's work. Perhaps some means of keeping in closer touch might be sought. The Secretariat had assumed in the past that there was no need to refer to meetings of bodies at which it had not been officially represented. In order to meet the Canadian representative's wish, the Division of Narcotic Drugs would communicate with the Supervisory Body and would mention that Body's work in its future reports.

Mr. ANSLINGER (United States of America) supported the Canadian representative's view.

Mr. MAY (Permanent Central Opium Board) was glad that the Economic and Social Council had adopted its resolution 356 B (XII), mentioned in paragraph 20. He once more drew the Commission's attention to the fact that some countries did not send in complete statistics. It would be desirable to get in direct touch with the Ministries of Foreign Affairs of the various States. If the fact that statistics had not been furnished were brought to the attention of the ministerial department responsible for seeing that the government respected its international obligations, it would in turn communicate with the services directly concerned and the Board might hope to receive more precise and complete data.

The CHAIRMAN said that the desirability of communicating directly with ministries to draw their attention to the importance of statistics would be mentioned in the summary record of the meeting.

/Mr. ZAKUSOV

Mr. ZAKUSOV (Union of Soviet Socialist Republics), speaking with reference to section (e) (Offer of 500 tons of opium for sale at Hong Kong) recalled his previous statements. The question could not be considered in the absence of a legal representative of the People's Republic of China. He therefore asked that the section should be deleted from the report of the Division of Narcotic Drugs.

The CHAIRMAN replied that the report was merely an account of events which had taken place. It contained no opinions, and there was therefore no reason to ask for the deletion of a passage which simply described measures taken in a certain case.

At the request of Mr. ZAKUSOV (Union of Soviet Socialist Republics) the CHAIRMAN put to the vote the USSR proposal to delete section (e).

That proposal was rejected by 12 votes to 1, with 1 abstention.

World Health Organization

Mr. VAILLE (France) emphasized the importance of the work done by the World Health Organization with respect to nomenclature of narcotic drugs, and hoped that it would progress as rapidly as possible. It was a pity, however, that in some cases the WHO had chosen extremely complicated names, bewildering even to experts.

Mr. STEINIG (Secretariat) recalled that during the first week of the session the WHO representative had described in detail his Organization's work in unifying and simplifying terminology.

Co-operation with other organizations

At the request of Mr. ANSLINGER (United States of America), the CHAIRMAN announced that document E/CN.2/SR.95, dealing with the work of another commission, was at the disposal of members. The International Council of Women had recently met at Athens. The Secretariat had not yet received a report on that session.

Chapter III. Control

International instruments on narcotic drugs

Mr. VAILLE (France) said that, as requested, his Government had transmitted additional information to the World Health Organization on homocodeine (morpholyethylmorphine) and hoped that that body would reverse its decision to classify that product in group I of the 1931 Convention.

In reply to a question by Mr. WEI (China), Mr. HOARE (United Kingdom) stated, in connexion with paragraph 44, that his Government had requested the opinion of the Division on Narcotic Drugs as to whether a certificate bearing the signature of an authority of the Government of the Republic of Korea could be considered as adequate for the shipment of drugs to Korea. The reply had been in the affirmative and the drugs in question had been despatched.

International control of narcotic drugs

Mr. SHARMAN (Canada) referring to paragraph 46, asked whether the seizure reports had been transmitted to the members of the Commission. Those documents were of the utmost importance for the Commission's future work.

Mr. STEINIG (Secretariat) referred to the decisions which had been made regarding the publication of seizure reports. It had been agreed that each year six volumes would be published, each covering a period of two months. The volumes for the year 1950 had already appeared and the volume covering the months of January and February 1951 would be published very shortly.

Chapter IV. Coca Leaf

Mr. HOARE (United Kingdom) thought it would be advisable to re-draft the end of paragraph 55 to read "which has already started to draft its comments" instead of "which has already started work".

The CHAIRMAN remarked that the mission referred to in paragraph 57 had already been accomplished. The Commission might be informed of the results of that mission.

/Mr. CANADA

Mr. CABADA (Peru) expressed his Government's thanks to the Secretariat for the visit which the Director of the Division of Narcotic Drugs had made to that country. The Peruvian Government had greatly appreciated Mr. Steinig's interest in the solution of the problem of coca leaf chewing, as well as his great competence and high qualifications as an international official.

Mr. STEINIG (Secretariat) thanked the Peruvian representative and his Government for his kind remarks regarding the Secretariat. On his arrival in Santiago, Chile, to attend the twelfth session of the Economic and Social Council, Mr. Steinig had found a telegram from the Peruvian Minister of Health inviting him to stop at Lima on his way back to New York to discuss questions relating to the international control of narcotic drugs. He had arrived at Lima, accompanied by Mr. Bolton, on 2 March and had left there on 7 March. During his stay he had had three important conversations with the Minister of Health, the Minister of the Interior and the Minister for Foreign Affairs; he and the other members of the Secretariat had also been received by the President of the Republic of Peru. During those conversations, the officials of the Peruvian Government had naturally referred to the report of the Commission of Enquiry on the Coca Leaf. As that report had not yet been considered by the competent organ of the United Nations, the conversations had been merely for purposes of information. Nevertheless, some misunderstandings which had arisen in connexion with the report had apparently been cleared up. He had been particularly pleased to note that the Peruvian authorities fully understood the importance of the conclusions reached in the report, which recommended that coca leaf chewing should not be immediately prohibited. It was natural that before taking steps which would have serious social, economic and political repercussions, the Peruvian authorities should do its utmost to prevent any aggravation of the situation. Thus the Government preferred to wait until scientists had made definite findings on the effects of coca leaf chewing on the inhabitants of high plateaux. If the scientists who were studying that question in Peru and in other countries with regions resembling the high plateaux of the Andes reached the conclusion that coca leaf chewing was undoubtedly harmful to health, the Government of Peru would not hesitate to take the steps recommended by the Commission of Enquiry.

/He had

He had therefore suggested to the Peruvian Government a way of approaching the problem which would obviate wasting time until the scientists had reached definite conclusions on the point and would not necessitate the Peruvian Government's abandoning the policy which it had laid down. The actions of statesmen could not always be logical and reasonable; scientific research and discoveries were the consequence of a rational approach which could not be rigorously applied to individuals as irrational as men.

Mr. Steinig had suggested that, while the scientific research to which he had just referred was being carried out, the Government of Peru should undertake a pilot project in two or three villages, where experts appointed by the specialized agencies could observe the effects of coca leaf chewing and try to eradicate that habit by improving living conditions, particularly nutrition. If, as a result of that experiment, the Peruvian Government reached the conclusion that the habit of coca leaf chewing should be forbidden, it could prohibit it throughout the country. The Peruvian Government had seemed favourably disposed towards that proposal.

He recalled that it had been decided to attach to the report of the Commission of Enquiry before submitting it to the Council, the comments of Professor Monge of Peru, and those of the Bolivian representative. He proposed that the comments of the Commission of Enquiry should be transmitted immediately to the Governments of Peru and Bolivia and that those Governments should be asked to communicate their observations to the Secretariat before December 1951. That would enable the complete documentation to be submitted to the Commission in 1952 and it in turn would be able to make recommendations on the subject to the Economic and Social Council's summer session in the same year.

In conclusion, he stated that he had reported to the Secretary-General on the results of his mission and that the Secretary-General had requested him to ask the representative of Peru to be good enough to convey his gratitude to the Peruvian Government for the manner in which the Secretariat representatives had been received and the arrangements made to enable them to complete their work in the space of four days.

/Mr. CABADA

Mr. CABADA (Peru) said that he would be glad to convey that expression of thanks to his Government.

The CHAIRMAN thanked the Director of the Division of Narcotic Drugs for his statement.

Mr. ZAKUSOV (Union of Soviet Socialist Republics) wondered what were the anticipated scientific discoveries which would enable the recommendations of the Commission of Enquiry to be put into effect. Professor Anrep had discovered the physiological effects of cocaine in 1871. The inhalation of cocaine crystals produced toxic results. It was known that the organism assimilated cocaine through coca leaf chewing and that that cocaine undoubtedly had a toxic effect. As a pharmacologist, he was surprised that there could be any difference of opinion as to the effects produced by the habit of coca leaf chewing.

Mr. STEINIG (Secretariat) recalled the views expressed by Mr. Monge and the Bolivian representative at the preceding session of the Commission. Opinions differed on the point. The Commission of Enquiry had made a recommendation which it was for the Governments of Peru and Bolivia to accept or reject. All the United Nations could do was to seek to ensure the full co-operation of those Governments in putting into practice the conclusions contained in the report of the Commission of Enquiry.

Mr. CABADA (Peru) shared that view. He drew attention to the work being done by eminent scientists in the research laboratories of the Andes as well as to the various problems raised by coca leaf chewing. It was incontestably a harmful habit, but probably not more harmful than tobacco smoking; to eradicate it would undoubtedly have social repercussions and entail changes in the diet of the population, which had indulged in the habit for the past 2000 years. Furthermore, the fact that the great Inca civilization had flourished in the Andes seemed to indicate that the habit was not as deleterious as had been asserted. There was some evidence that coca leaf chewing was not as bad for the health of people living in a high-mountain climate as had been thought. The Peruvian Government would act by degrees and on the basis of scientific findings.

/The CHAIRMAN

The CHAIRMAN asked the members of the Commission not to enter into the substance of the matter. Mr. Steinig had reported on the results of his mission simply for purposes of information in connexion with the progress report of the Division of Narcotic Drugs.

Chapter V. Opium

Mr. SHARMAN (Canada) said that according to paragraph 60, the changes referred to therein -- which had been adopted at the fifth and not, as stated in paragraph 59, at the sixth session -- would be incorporated in document E/CN.7/221. That document, which had now been published, did not include one of the Commission's most important decisions; namely, that the agreement would not enter into force until it had been ratified by twenty-five States.

Mr. LANDE (Secretariat) explained that when drafting a report the Secretariat endeavoured to describe the trend of the discussion and the motives governing the decisions taken. He referred to the provisions of section 54, paragraph 3, of the third revised draft of the proposed interim agreement (E/CN.7/221) according to which the Opium Regulating Committee could postpone the coming into effect of the agreement until twenty-five or more States had acceded to it. When drawing up paragraph 60, the Secretariat had borne in mind: (a) the view expressed by the members of the Commission at its fifth session, in particular by the representatives of France and the Netherlands, that the manufacturing countries' exports might be adversely affected unless a large number of States -- at least twenty-five, including the chief customers of the manufacturing countries -- became parties to the agreement; and (b) the proposals of the Joint Committee of the Principal Opium-Producing and of the Principal Drug-Manufacturing Countries regarding the procedure for solving certain problems which might not yet have been settled at the moment when the agreement came into force and regarding the possible postponement of the entry into force of the agreement until such a procedure had been established.

/The Secretariat

The Secretariat felt that those principles, on which the decisions mentioned by the Canadian representative were based, should be taken into account. He regretted it if he had misinterpreted the Commission's desires.

Mr. SHARMAN (Canada) maintained that the Commission's decision on that point had been perfectly clear: the agreement would not enter into force until it had been signed by twenty-five States.

He pointed out, in connexion with paragraph 66, that in December 1950, the United States representative had asked for information regarding the Republic of Indonesia, and asked whether the Secretariat could not grant a request by a member of the Commission without the express consent of the Economic and Social Council.

Mr. ANSLINGER (United States of America) had been about to ask a similar question with regard to seamen. He had thought that the relevant draft resolution would be sent to all Governments, and not only to those represented on the Commission. He asked whether the Council's approval was necessary in that connexion too.

Mr. STEINIG (Secretariat) explained that as a rule the decisions of the functional commissions had to be confirmed by the Economic and Social Council before they could be carried out; moreover, the Council had the right to change the recommendations of its functional commissions. After the end of the Council session, the various governments had been duly approached. In reply to Mr. Anslinger's question, he said that the draft resolution had been sent to all governments.

Determination of the Origin of Opium by Chemical and Physical Means

Mr. OR (Turkey) pointed out that in paragraph 70 the name of Dr. Alaeddin Alacasu, the author of the article on "The Forms of Crystals of Opiums Grown in Turkey", had been misspelt.

/Mr. ANSLINGER

Mr. ANSLINGER (United States of America) informed the Commission that the results of recent researches on testing opium would be published shortly in a pharmaceutical review. Those results were likely to have far-reaching effects on current methods. He would see that they were made available to the members of the Commission, as the improved methods would probably be adopted by other Governments.

Chapter VI. General Questions

There were no comments

Annex

Mr. SHARMAN (Canada) asked whether the first four communications listed had really all been cables. He saw no point in including in a list of communications annexed to the progress report of the Division of Narcotic Drugs, communications which had not yet been sent. Finally, the expression "verbal note" seemed to him meaningless.

The CHAIRMAN thought that it might be worth while for the report to include a list of communications "to be sent", but it might perhaps be better to put them in a separate list.

Mr. STEINIG (Secretariat) said that in the English text the words "verbal note" would be replaced by the French expression "note verbale" which was an accepted expression and need not be translated. Document SOA 177/2/04 was in fact a cable, but documents CN.180.1950, CN.4.1951 and CN.15.1951 were "notes verbales".

IMPLEMENTATION OF THE 1948 PROTOCOL (Conference Room Paper No.6)

The CHAIRMAN asked the United States representative to submit his delegation's draft resolution (Conference Room Paper No. 6).

/Mr. ANSLINGER

Mr. ANSLINGER (United States of America) stated that it was the first time that the Protocol signed on 19 November 1948, bringing under international control drugs outside the scope of the 1931 Convention, had been applied, and he took the opportunity to congratulate the World Health Organization on the way in which it had carried out its functions. On 17 October 1950, the United States Government, pursuant to Article 1, paragraph 1 of the Protocol, had submitted a list of fourteen drugs to the Secretary-General, and had stated that they could all be used for medical and scientific purposes and that each of them was liable to give rise to the same abuses or produce the same effects as the drugs referred to in Article 1, paragraph 2, of the 1931 Convention.

Upon receipt of notification from the Secretary-General, the World Health Organization had acted with commendable promptitude and had already intimated that a decision had been made in respect of twelve of the drugs, placing ten of them in the category specified as group I and two in the category specified as group II in Article 1 of the 1931 Convention.

He was glad to note that at its next session the World Health Organization's Expert Committee on Drugs Liable to Produce Addiction would study measures required in respect of the remaining two drugs.

In view of the dangerous nature of the two drugs to which attention had already been drawn in the United States Government's notification of 17 October 1950, it would seem that the Narcotic Drugs Commission might profitably consider whether, pending WHO's decision in the matter, the drugs should, in accordance with the provisions of Article 2 of the Protocol, be placed in the list specified as group I in Article 1 of the 1931 Convention.

He accordingly proposed that the Commission should adopt his draft resolution.

Mr. VAILLE (France), Colonel SHARMAN (Canada) and Mr. RABASA (Mexico) wholeheartedly supported the United States draft resolution.

Mr. KRUYSSSE (Netherlands) observed that when, for the first time, the Commission was being called upon to take action under Article 2 of the Protocol of 19 November 1948, the relevant documents had not been distributed to members. The decision to be taken was of the utmost importance because,

/under

under Article 1, it would be applicable in the territory of all States Parties to the Protocol; for his part, he would hesitate to make an immediate decision. He requested the Secretariat to prepare the necessary documentation so that the Commission might reach a considered decision in the near future.

Mr. VAILLE (France) remarked that, at the current stage of scientific development, the experimental evidence upon which the United States proposal was founded could not be such as to permit of a positive affirmation that the two drugs NU-1932 and NU-2206 would be habit-forming; it could however be said that that was highly probable, and it was essential that immediate precautionary measures should be taken with the possibility of reverting to classification at a later date. Unless that course was followed, no progress would ever be made; hence the French delegation supported the draft resolution.

Mr. ZAKUSOV (Union of Soviet Socialist Republics) thought that the two drugs referred to in Conference Room Paper No. 6 were obviously dangerous from the standpoint of addiction. The USSR delegation had always maintained that, if any drug gave rise to doubts on that score, trade in it should be regulated. He therefore failed to see any objection to placing the drugs NU-1932 and NU-2206 under international control.

In that connexion, he pointed out the advantage there would be in referring to any such products by their scientific name only; if a decision was taken to that effect, it would no longer be possible for harmful products to be disguised under misleading names.

Mr. HOARE (United Kingdom) did not believe that the Netherlands representative would go so far as to propose that a decision should be deferred until the next session. For his part, in view of the importance of the decision, he would like it to be clear that, whatever the procedure followed by the Commission, its decision had been taken in the light of all the facts. He was not sure that it would be desirable to wait until the documentation had been assembled or even that it would be possible to assemble it. A certain

delay would in any case be necessary before the decision could be applied. The Netherlands proposal was not without value and the Commission ought to take it into consideration.

The CHAIRMAN recalled that the question had already figured under item 13 of the agenda for the fifth session, and that document E/CN.7/209, which had been distributed at that time, contained information concerning the drugs NU-1932 and NU-2206.

Mr. ANSLINGER (United States of America) thanked the French and USSR representatives for their observations in support of his proposal; he asked the Netherlands representative whether he would be satisfied with the information contained in document E/CN.7/209. He reminded the Netherlands representative that it was to the interest of his country that a decision should be taken as speedily as possible, since, under existing international legislation, there was nothing to prevent American exporters from dispatching large quantities of those dangerous products to the Netherlands.

Mr. KRUYSGE (Netherlands) said that he had merely wished to make a reservation regarding the way in which the United States draft proposal had been submitted to the Commission, in the form of a conference room paper with no supporting documentation. He was grateful for the initiative taken by the United States delegation and stated that owing to the fact that document E/CN.7/209 had been distributed, he had no further objection to make; he was fully satisfied with the information given in that document.

Colonel SHARMAN (Canada) reminded the USSR representative that WHO had already settled upon a single name for each drug; the Supervisory Body had adopted the WHO nomenclature.

Mr. VAILLE (France) stressed the valuable results that would ensue from the decision about to be taken by the Commission; it would no doubt encourage the manufacturers and researchers to undertake a thorough study in order to determine whether the

/substances

substances in question should be definitely classified under group I or placed in group II, specified in Article 1 of the 1931 Convention.

Mr. ANSLINGER (United States of America) observed that it had been very difficult to convince American manufacturers that those products were sufficiently dangerous to warrant their being placed under international control.

The CHAIRMAN put the United States draft resolution to the vote.
The draft resolution was unanimously adopted.

Mr. ANSLINGER (United States of America) transmitted to the Secretariat, for reproduction and distribution, the text of a study by Dr. H.K. Beecher, of the Harvard Medical School, concerning the work recently carried out on heptazone WIN 1161-2, which would seem to indicate that that drug could be used as a substitute for codeine.

The meeting rose at 5.20 p.m.