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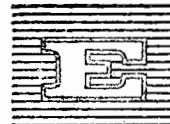
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COMMISSION ON NARCOTIC DRUGS

Ninth Session

SUMMARY RECORD OF THE TWO HUNDRED AND THIRTY-THIRD MEETING

Held at Headquarters, New York,  
on Friday, 23 April 1954, at 2.40 p.m.

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Drug addiction (E/CN.7/270) (continued)

PRESENT:

Chairman:

Mr. VAILLE France

Rapporteur:

Mr. KRISHNAMOORTHY India

Members:

Mr. SHARMAN Canada

Mr. LIANG China

Mr. ISMAIL Egypt

Mr. PANOPOULOS Greece

Mr. ESFANDIARY Iran

Mr. RABASA Mexico

Mr. LAZARTE Peru

Mr. KULAGA Poland

Mr. OZKOL Turkey

Mr. FOMIN Union of Soviet Socialist  
Republics

Mr. WALKER United Kingdom of Great  
Britain and Northern  
Ireland

Mr. GOLDSTEIN United States of America

Mr. NIKOLIC Yugoslavia

Also present:

Mr. MAY Permanent Central Opium  
Board

Representative of a specialized agency:

Dr. WOLFF World Health Organization

Secretariat:

Mr. YATES Director, Division of  
Narcotic Drugs

Mr. PASTUHOV Secretary of the Commission

DRUG ADDICTION (E/CN.7/270)(continued)

Mr. LIANG (China) said that he had received a pamphlet entitled "Statistical Studies on Opium Addiction in Formosa", by Drs. Fu, Huang and Wang, and proposed that the Secretariat should be instructed to distribute copies to the members of the Commission.

It was so decided.

The CHAIRMAN invited members of the Commission to consider document E/CN.7/270 paragraph by paragraph.

Paragraphs 1 and 2

There were no comments.

Paragraph 3

Mr. KRISHNAMOORTHY (India) observed that his country had adhered strictly to the provisions of the 1953 Protocol: opium-smoking was permitted only in the case of addicts registered, under certain conditions, not later than 30 September 1953. The number of opium-smokers in India was now small and was steadily decreasing; a final solution of the problem could be expected in three or four years.

Paragraphs 4 to 7

There were no comments.

Paragraph 8

Dr. WOLFF (World Health Organization) said that at the time of the League of Nations, since there had been no organization of the type of WHO, it had been customary to establish ad hoc committees for the study of certain problems. The establishment of a commission to study methods of treating drug addiction had been proposed, and he, Dr. Wolff had been instructed to draft a report for the proposed commission's use. The report, which was confidential, had been submitted to five or six experts from various countries. They had

indicated that they approved of its content subject to a few reservations, but it had been decided not to convene the commission, since the main concern had been to find some suitable treatment for the peoples of the Far East, and the experts were not sufficiently well informed of the situation in that region. The study of the problem had accordingly been deferred, and it had not been taken up again since that time.

Paragraph 9

There were no comments.

Paragraph 10

Mr. PANOPOULOS (Greece) said that special films illustrating the dangerous effects of the use of narcotic drugs would be very useful.

The CHAIRMAN observed that the question had been discussed on a number of occasions and that the Commission had submitted to the Council for adoption a draft resolution calling for the prohibition of all propaganda, except in medical circles. The Council had not adopted that draft resolution. The same question had arisen in France in 1953, when it had been proposed to exhibit a film demonstrating the dangerous effects of narcotic drugs. He and his colleagues had first opposed and later agreed to the showing of the film, which seemed to have done good rather than harm.

He felt that the Commission should not consider the problem for the present; the matter should be discussed more fully and placed on the agenda of a future session, for such propaganda might be useful in some countries.

Dr. WOLFF (World Health Organization) observed that detective stories about narcotic drugs, bearing alluring titles, could be found on sale practically everywhere. Aldous Huxley, a well-known author, had written a book in which he described the delusions induced by the use of mescaline. That substance was not covered by international conventions; while it was not at the moment a social danger its use was not prohibited in the United States, and some readers of the book might possibly be tempted to test its effects. All such books were dangerous.

Mr. WALKER (United Kingdom) said he agreed with Dr. Wolff that the use of the narcotic drugs traffic as a subject for novels was to be deplored. Books of that type were to be found in England also, because authors had realized that the subject lent itself to profitable exploitation. However, the existence of such books did not seem to have aggravated the problem of drug addiction. The daily press, which solicited public attention by the use of huge headlines and by reports containing only a minute proportion of truth, was a much more serious danger. Unfortunately the Commission could take no action since freedom of the press took precedence over the eradication of drug addiction.

Paragraphs 11 to 15

There were no comments.

Paragraph 16

The CHAIRMAN said that the French text contained an error. It was incorrect to speak of "propriétés.....non toxicomanogènes des nouveaux stupéfiants."

Dr. WOLFF (World Health Organization) suggested the wording: "propriétés.....non toxicomanogènes des nouvelles substances."

The proposed modification was adopted.

Paragraphs 17 to 23

The CHAIRMAN said that the question was whether there was any need to define drug addiction, and if so, how to define it.

Mr. NIKOLIC (Yugoslavia) said he considered a definition of drug addiction unnecessary. Under the present system, drugs subject to international conventions were listed and anyone making illicit use of a drug so listed was a drug addict. In practice, therefore, the problem was settled. Accordingly, a definition of drug addiction would be of no more than scientific interest.

In any event, the definition given by ~~the~~ WHO Expert Committee (paragraph 22) was not fully satisfactory. Drug addiction could not properly be described as "a state of periodic.....intoxicavion" characterized by a "need (compulsion) to continue taking the drug...."

Dr. WOLFF (World Health Organization) said that the Commission had requested the Expert Committee to give a definition of drug addiction which could be used in the draft single convention. Accordingly, the proposed definition had been drafted with a view to the convention. It had been transmitted to nearly every pharmacological institute in the world, and none of the replies received contained any criticism.

The CHAIRMAN observed that the definition to be included in the single convention was to be used by all jurists of all categories, and particularly by those who would be responsible for the application of the convention. The proposed definition, which was addressed to experienced medical practitioners, therefore appeared unsuitable. The Yugoslav representative's objection might be met by one of the following definitions:

"Drug addiction is the illicit use of substances covered by international conventions on narcotic drugs" or

"Drug addiction is the illicit use of substances covered by international regulations relating to narcotic drugs."

The expression, "Illicit use" was employed in the sense of "use in circumstances other than those authorized by national regulations."

Those definitions were of no scientific value but would at least solve the legal problem.

Mr. SHARMAN (Canada) thanked the World Health Organization for having complied with the Commission's wishes by drafting a definition which, even if it did not fully meet the requirements of the draft single convention, was nevertheless a good definition.

The CHAIRMAN thanked the World Health Organization and the Expert Committee for their co-operation.

Mr. NIKOLIC (Yugoslavia) said that what he was questioning was not the usefulness of the Expert Committee's definition but the practical need for any definition for the purposes of international control.

The CHAIRMAN felt that the Commission should come to a decision on the need to define the term "drug addiction" when considering article I, "Definitions" of the draft single convention, and that that would not be possible until the discussion of the convention had been concluded.

It was so decided.

Paragraphs 24 to 28

The CHAIRMAN noted the Commission agreed that problems should be attacked at the international as well as at the national level. The Commission would request the Council to invite the World Health Organization and the other specialized agencies to study topics strictly within their scope, and also other intermediate problems, which the Commission itself would also study. In the latter case, the results obtained by the various bodies would have to be compared so as to reach common conclusions, if possible. The order or priority of the studies to be carried out at the international level would be examined at the same time as paragraph 29. In addition, the Commission would recommend the Council to invite Governments to study the problem of drug addiction and to communicate their conclusions to the Commission for the benefit of other Governments or of international agencies.

It was so decided.

Paragraph 29

Dr. WOLFF (World Health Organization) thought that Governments would be able to obtain a more accurate picture of the extent of drug addiction if they could register drug addicts as they did sufferers from infectious diseases.

Mr. WALKER (United Kingdom) and Mr. SEARMAN (Canada) thought that statistics could be obtained without burdening doctors with extra office work or breaking the rule of medical secrecy.

The CHAIRMAN noted that the Commission unanimously considered that it would be premature, if not inadvisable, to recommend the registration of drug addicts.

Mr. FOMIN (Union of Soviet Socialist Republics) regretted that the Commission was taking decisions on matters of principle without having written proposals before it. Since the decisions would eventually have to be incorporated in the report to the Council or would even be embodied in draft resolutions submitted for the Council's approval, the Commission would be well advised not to await the end of the session before casting its recommendations in written form. Its members, who represented States, could not consult their Governments, where need arose, unless they had a text.

The CHAIRMAN pointed out that the Commission had decided, in view of the fullness of the agenda and the diversity of the subjects to be dealt with, to take decisions during the discussion on matters of principle only. Its recommendations would be incorporated in draft resolutions which would be prepared by the Rapporteur with the help of the Secretariat, taking into account the opinions expressed at the meetings. He hoped that it would be possible at the coming meetings to begin consideration of draft resolutions on the questions already discussed. Such draft resolutions could still be amended, in accordance with the usual procedure. Decisions which the Commission was empowered to take independently would be recorded in the report, which would be submitted for the



Commission's approval. Nevertheless, members were urged to submit draft resolutions if they thought they could thus facilitate the Commission's work and prevent it from having to adopt in haste draft resolutions submitted at the last moment.

The topics the Commission might propose for study at the international level could only be determined empirically, owing to lack of agreement on the basic causes of drug addiction. The list in paragraph 29 enumerated all the topics in question, and in doing so gave an excellent outline of the national and international problem as a whole.

With a view to the study of those topics at the international level, the Commission would be required both to make recommendations to Governments and to classify the subjects suggested according to their importance and urgency. In connexion with the first point, governments might be asked to initiate studies and research, where possible, in accordance with a programme which might correspond to that proposed by the Secretariat in paragraph 29. Such a recommendation would be strictly in accordance with the Commission's functions and might, in certain countries, draw attention to hitherto neglected public health problems. With regard to the second point, the Commission might lay down the order of priority to be followed by the Secretariat in carrying out the programme of study.

It was so decided.

Dr. WOLFF (World Health Organization) proposed that the English text of item V, F, should be amended. It was not clear whether the expression "persons intoxicated by narcotic drugs" referred to chronic drug addicts or simply to persons under the influence of narcotic drugs at the time of the offence, as stated in the French text.

The CHAIRMAN supported Dr. Wolff's suggestion and invited the members of the Commission to adopt, for the English text, the words "while under the influence of narcotic drugs".

It was so decided.

Mr. WALKER (United Kingdom) asked for an explanation of the meaning of the word "officials" in item I, B. The term was too vague; did it refer to police, customs and post office officials or to the entire civil service?

The CHAIRMAN said that the word fonctionnaires in the French text raised the same difficulties.

Mr. YATES (Secretariat) explained that the word had been selected in order to leave Governments free to assign the responsibility of reporting cases of drug addiction to those officials they considered best qualified to do so. However, it would be possible to state, for instance in an explanatory note, which officials were meant.

The CHAIRMAN asked the United Kingdom representative to make any necessary suggestions to the Rapporteur for the clarification of the word "officials" in the context.

Mr. FOMIN (Union of Soviet Socialist Republics) wished to know the exact bearing of item V. He would oppose the retention of the paragraph if it implied that the Commission was invited to propose amendments to the penal law of States. Penal law was a serious matter, and the Commission was not empowered to propose measures to change it; it could only take note, for information, of the laws of the various States relating to the treatment of drug addicts.

The CHAIRMAN pointed out that the Commission had always, in the course of its work, concerned itself with the treatment of drug addicts under penal law. It was in no way exceeding its powers in studying and recommending a programme of studies designed to induce Governments to take measures for the prevention of drug addiction. No study of drug addiction could pass over the treatment of drug addicts under penal law; and since the treatment applied in some countries actually enabled relapses to be avoided, its general use should be advocated.

The members of the Commission belonged to the most varied professions, their discussions were extremely free and their decisions were not directed against any State. It could only be useful if, during the discussion, they suggested any modifications they thought desirable to the provisions of the penal laws of States. In any case, he was prepared to put the retention of item V to the vote if the Soviet Union representative so desired.

Mr. FOMIN (Union of Soviet Socialist Republics) thanked the Chairman for his explanatory remarks; he would not press a vote on the paragraph in question.

#### Paragraph 30

The CHAIRMAN noted that the Commission had already accepted the principle of sending a questionnaire, referred to in paragraph (a), when the revision of the form of annual reports had been discussed. He proposed that the Commission should also adopt paragraph (b). The Secretariat would be instructed to continue the studies it had initiated, and, accordingly to ask certain countries to supplement the information they had already furnished, if necessary.

It was so decided.

Mr. NIKOLIC (Yugoslavia), supported by Mr. SHARMAN (Canada), opposed the retention of paragraph (c). The method suggested would amount to dictating the measures to be taken by Governments, which was obviously outside the Commission's competence. Governments had their specialized departments and were free to select any method they deemed appropriate with a view to furnishing the information requested by the Secretariat.

The CHAIRMAN proposed that the method of organizing a system of national correspondents, proposed in paragraph (c), should be dropped.

It was so decided.

Mr. YATES (Secretariat), replying to the CHAIRMAN's question on the exact meaning of the methods suggested in paragraph (d), observed that in 1953 the Commission had asked Member States to communicate to it any scientific studies made in the field of narcotic drugs. Such studies were often extremely technical, and could only be completed by specialized government administrations. The method proposed in paragraph (d) would consist in providing for closer liaison between the Secretariat and the administrations participating in the programme of scientific research on narcotic drugs and drug addiction.

The CHAIRMAN said he feared that the paragraph was incautiously drafted, since it seemed to imply that a method of joint action would be elaborated. Such a proposal might be regarded as impairing the principle of the freedom of action of Governments.

Mr. SHARMAN (Canada) said he agreed with the Chairman; moreover, the paragraph lacked clarity and precision.

Mr. WALKER (United Kingdom) pointed out that in certain countries there were research centres and other establishments specialized in the field of narcotic drugs. He saw no reason why the Secretariat should not co-operate closely with them.

The CHAIRMAN said he considered that the Secretariat did not require special instructions to continue and intensify its co-operation with the administrations concerned. Accordingly, he suggested that the proposal made in paragraph (d) should be restricted to the distribution of bibliographies and documents concerning narcotic drugs; for instance, it might be drafted to read: "Communication to members of the Commission of any relevant publications which Governments might be in a position to place at the Commission's disposal"

It was so decided.

Paragraph 31

The CHAIRMAN stressed the importance of paragraph 31, on possible methods of action on the international level. However, most of the methods in question could not be applied in the near future, and would become only feasible after measures had been taken by Governments at the national level. For the time being, the Commission must be content with advising and making recommendations to Governments, without interfering in their domestic legislation. The methods proposed in paragraph 31 could therefore come only as the culmination of a long-term programme.

He proposed that the Commission should take note of document E/CN.7/270, on drug addiction, and should congratulate the Secretariat on its excellent work.

It was so decided.

The meeting rose at 4.40 p.m.