



UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL
E/CN.7/SR.793
17 February 1976
Original: ENGLISH

COMMISSION ON NARCOTIC DRUGS

Fourth special session

SUMMARY RECORD (PARTIAL)* OF THE 793RD MEETING**

held at the Palais des Nations, Geneva,
on Monday, 16 February 1976, at 3 p.m.

Chairman:

Mr. OJEDA PAULLADA

(Mexico)

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* No summary record was prepared for the rest of the meeting.

** No summary record was made of the 792nd meeting.

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Corrections to the records of the meetings of the Commission at this session will be consolidated in a single corrigendum to be issued shortly after the end of the session.

The discussion covered in the summary record began at 3 p.m.

REPORTS ON THE WORK OF THE UNITED NATIONS, THE SPECIALIZED AGENCIES AND OTHER INTERNATIONAL ORGANIZATIONS RELATING TO NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES (agenda item 3)

- (a) REPORT OF THE DIVISION OF NARCOTIC DRUGS AND REPORTS OF THE SUB-COMMISSION ON ILLICIT TRAFFIC AND RELATED MATTERS IN THE NEAR AND MIDDLE EAST AND OF THE MEETING OF OPERATIONAL HEADS OF NATIONAL NARCOTIC LAW ENFORCEMENT AGENCIES IN THE FAR EAST REGION (E/CN.7/584 and Add.1)

Chapter I - Action of international organs and organizations

1. Mr. NOLL (Secretary of the Commission), introducing the report of the Division of Narcotic Drugs on the work of the United Nations, the specialized agencies and other international organizations relating to narcotic drugs and psychotropic substances, for the period 1 March to 15 December 1975 (E/CN.7/584), said that in the English version of that document Argentina should be added to the list of countries members of the Commission in paragraph 16. The adoption of the provisional time-table under item 2 meant that the substance of the matters referred to in paragraphs 17 and 18 of the report would be considered under item 6. In paragraph 33, "26th" should be replaced by "25th". In connexion with paragraph 44, he informed the Commission that, since the report had been issued, the Office of Legal Affairs had prepared and transmitted to Governments certified true copies of the 1972 Protocol Amending the Single Convention on Narcotic Drugs, 1961; when the Commission's current session was over, the secretariat would issue the text of the 1972 Protocol in the form of a United Nations publication.
2. With regard to paragraph 45, developments since the document was issued required Chile, the Holy See, Monaco and South Africa to be added to the list of countries which had ratified or acceded to the 1972 Protocol; the Holy See had also acceded to the 1971 Convention. Consequently, the number of States Parties to the 1971 Convention and the 1972 Protocol, as recorded in paragraph 46 of the report, should be amended to read 35 and 48, respectively. No further developments had occurred with regard to the subjects dealt with in paragraphs 48 to 60 of the report.
3. At the current session, the secretariat, in accordance with the directives given by the Economic and Social Council, wished to revive the Commission's former practice of listing the resolutions and decisions adopted by it in a separate, last chapter of its final report. When the Commission had concluded its consideration of each particular chapter of the Division's report (E/CN.7/584) and of any other document on an agenda item, the secretariat would draw attention to the decisions to be taken under the chapter concerned and, with the Commission's approval, would then proceed to draw up a draft text of the relevant decisions for consideration and possible adoption under item 8.
4. Mr. VAILLE (France) said it was essential that all countries not yet parties to the 1971 Convention on Psychotropic Substances should take urgent action to adhere to it, as requested by the General Assembly in its resolution 3443 (XXX). The illicit traffic

in such substances as LSD, amphetamines and methaqualone was expanding, and a number of new psychotropic substances had been developed since the 1971 Convention had been adopted. The World Health Organization (WHO) and the Commission on Narcotic Drugs could not play their preventive role until that Convention came into force. Of course, its application would entail extra work, particularly for the administrations of the highly industrialized countries, but those countries had frequently called upon countries producing natural drugs to make sacrifices to curb that production.

5. The decision to invite nine outside experts to attend the third session of the Inter-Agency Advisory Committee on Drug Abuse Control (IAAC) showed that IAAC was in danger of departing from its rightful role as a co-ordinating body and of delving into matters of substance which should properly be dealt with by the Commission on Narcotic Drugs, the United Nations Fund for Drug Abuse Control (UNFDAC), WHO and other United Nations bodies. Steps should be taken to guard against such a development.

6. His delegation welcomed the Secretariat's proposal in paragraph 56 of the Division's report that the Commission should in future examine the summaries of annual reports on a regular basis as a separate Commission document, and also the proposal in paragraph 59 that a completely up-to-date list of national authorities empowered to issue certificates and authorizations for the import and export of narcotic drugs should be issued in 1976.

7. He asked about the progress of work on the standardization of statistics falling within the competence of the International Narcotics Control Board (INCB), the Division of Narcotic Drugs and WHO.

8. Mr. CASTRO y CASTRO (Mexico) said that chapter I of the report provided valuable information which could serve as a basis for the Commission's discussions and would furthermore help to devise an appropriate international policy of drug control.

9. His delegation shared the view expressed by the Economic and Social Council in its resolution 1934 (LVIII) that measures to reduce the illicit supply of drugs could not be effective in the long run unless measures were also taken concurrently to reduce the illicit demand for drugs (E/CN.7/584, paragraph 9 (iii)). The problem of drug abuse needed to be tackled from the point of view of demand as well as that of supply.

10. With regard to paragraph 19 of the report, he fully endorsed the recommendation made by the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders that any national drug policy - for example, decriminalization of activities concerning cannabis - should not adversely affect the drug control situation in neighbouring countries and at the international level. The adoption of national measures reducing the penalties for certain drug offences could sometimes cause problems for other countries.

11. He also agreed with the statement in the same paragraph that a policy of decriminalization in highly industrialized countries could have effects or side effects on the relationship between developed and developing countries. On the other hand, the statement that combating drug abuse itself might sometimes require changes in the social, economic and cultural structure of the country required some qualification; such changes were ultimate goals of the utmost importance and should not be subject to short-term considerations of a pragmatic nature.

12. He fully subscribed to the view referred to in paragraph 29 that the illicit demand for narcotic drugs and psychotropic substances tended to stimulate and increase the uncontrolled production and illicit manufacture as well as the international illicit traffic in those substances.

13. Mr. REXED (Sweden) urged all countries not yet parties to the 1971 Convention on Psychotropic Substances to adhere to it as soon as possible, so that the Convention could enter into force. It was particularly important that the countries which were the major manufacturers of such dangerous substances should face up to their responsibilities in helping to control possible abuse.

14. He was glad to note from paragraph 24 of the report that WHO was now playing an even more active role in the field of drug abuse control. The co-operation of WHO in such areas as the definition of dangerous substances was absolutely essential, and he hoped that such co-operation could be further intensified in the future.

15. One recurrent theme in chapter I was the need, not only to curb the spread of drugs, but also to reduce demand by means of preventive measures, therapy and rehabilitation. That point had been made, for instance, at the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (paragraph 19) and at the forty-fourth session of the General Assembly of ICPO/Interpol (paragraphs 28 and 29).

16. His delegation welcomed the efforts which had been made to improve co-ordination of the drug abuse control activities of international organs and organizations and hoped that IAAC would continue to arrange workshops of the kind referred to in annex I as a means of defining positions and concepts.

17. Mr. SCHRÖDER (Federal Republic of Germany) commended the report of the Division of Narcotic Drugs (E/CN.7/584), which illustrated the general improvement in presenting information in clearer and more concise form.

18. The recommendation made by the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders concerning the possibility of elaborating an international extradition convention (E/CN.7/584, paragraph 19) should be given serious consideration. The arrangements between States members of EEC for extradition in cases of drug offences had been found to be seriously deficient in certain respects, and the limitations of the individual countries' national legislation impeded effective international action against rings of drug dealers. Although the 1961 Single Convention on Narcotic Drugs and the 1971 Convention on Psychotropic Substances provided the basis for an international extradition system, the increasingly sophisticated methods used by international traffickers required the introduction of a more efficient system.

19. He endorsed the remarks made by the representative of Mexico concerning the possible effects of national policies of drug decriminalization, and in that connexion recalled the resolution on cannabis adopted by the Commission at its previous session.

20. He welcomed the report on the third session of IAAC (annex I) and expressed the view that IAAC's terms of reference (annex I, appendix 2) were acceptable and satisfied the requirement that IAAC should not act as a policy-making body for UNFDAC.
21. Mr. SINGH (India) said that his country, which had ratified the 1971 Convention on Psychotropic Substances, was disappointed to note that that Convention had not yet entered into force. Psychotropic substances posed as great a threat as natural drugs such as cannabis and opium, and it was to be hoped that those countries which had not yet adhered to the 1971 Convention, in particular the industrially advanced countries, would do so in the near future.
22. His delegation was pleased to note from paragraph 40 of the report that, during the period under review, the Secretary-General had continued his efforts to ensure the best possible co-ordination in the field of drug abuse control and that he would continue those efforts in the future.
23. Miss TSITSOURA (Council of Europe), speaking at the invitation of the Chairman, said that close links of co-operation had long existed between the Council and the United Nations, which were often concerned with the same problems, such as the need to combat all factors that undermined the physical and mental health of individuals and, consequently, affected their social behaviour. In that regard, she referred to the question of drug abuse control and the problem of illicit traffic in narcotic drugs.
24. Referring to the Council's activities, some of which were mentioned in paragraphs 34 to 37 of the report before the Commission (E/CN.7/584), she drew attention to a draft resolution dealing with penal aspects of drug abuse prepared by a Committee of Experts of the European Committee on Crime Problems and adopted by the Committee of Ministers in 1973. The resolution, as well as the Committee's report on the same question, had been issued as a publication in 1973. The 11th Conference of the Directors of Criminological Research Institutes, held in Strasbourg in November 1974, had studied the question of the importance of narcotics in relation to criminality and had reached the conclusion that in general drug abuse did not lead directly to criminality. The relationship between drug abuse and criminality was one of co-existence rather than of cause and effect.
25. A multidisciplinary symposium on drug dependence had been held in 1972 under the auspices of the Division of Public Health of the Council of Europe in collaboration with the World Health Organization. Furthermore, the Committee of Ministers of the Council of Europe had included in its medium-term programme of work (1976-1980) the following subjects: effectiveness of education as a preventive measure; evaluation of treatment techniques and rehabilitation programmes; the harmonizing of terminology and comparability of data; the effect of control legislation and the development of an early warning system concerning new trends and problems in the field of drug abuse.
26. With regard to current activities, she said that the European Committee on Public Health had been requested by the Committee of Ministers to make a study of problems concerning drug addicts and drug users travelling in Europe and other regions. That study was to be carried out by a multidisciplinary working group composed of drug treatment specialists, social workers, psychiatrists and psychologists and would begin

in March 1976. One of the consultants had pointed out that while young people sometimes journeyed to the Far East for religious reasons, they were mostly interested in countries with a tolerant attitude towards drugs. There were Americans and Australians as well as Europeans. Such young people were exposed to risks as they did not enjoy full protection from their respective embassies and several disappeared every year. They sometimes engaged in "minor drug traffic" to finance subsequent journeys.

27. The European Committee on Crime Problems had been requested to study in 1976 the penal and criminological aspects of drug abuse. A working group had been set up in January 1976 to prepare a draft programme and had adopted, on the basis of the conclusions of the 11th Conference of Directors of Criminological Research Institutes, a draft resolution recommending that Governments of the member States promote or encourage studies of official data on drug abuse, of the forms of delinquency related to drug abuse, of the effects of legislation on trends in drug abuse, and of means of detecting drug abuse among drivers. The draft resolution had also recommended that Governments inform the Secretary-General of the Council of Europe of the results of such studies, so that the Council could organize meetings of scientists engaged in the same activities, with a view to drawing up common methodological criteria. The resolution would be submitted to the next plenary session of the European Committee on Crime Problems, to be held in May 1976, and then to the Committee of Ministers. The working group had also recommended the establishment of a sub-committee to study certain fundamental concepts of drugs legislation. It had suggested that the European Committee on Public Health and the European Committee on Crime Problems should examine jointly the therapeutic aspects of the treatment of drug addicts.

28. While the Council of Europe was not directly concerned with the prevention of drug traffic, it was highly interested in the question. The 11th Conference of Directors of Criminological Research Institutes and other bodies of the Council of Europe had on several occasions stressed that member Governments should actively co-operate in the efforts of the United Nations and other international organizations to combat that traffic.

29. Mr. GARCÉS-GIRALDO (Colombia) commended the Secretariat on its report (E/CN.7/584).

30. He strongly supported the Mexican representative's comments on the need for strong measures to reduce demand for drugs, which would lead to a reduction in supply, and on the statement in the report that a policy of decriminalization in the highly industrialized countries could affect relations between developed and developing countries.

31. Because of its geographical situation, Colombia had now become a major centre for international narcotics traffic, which had resulted in an increase in internal consumption and criminality. That traffic was obviously stimulated by demand in the industrialized countries. A reduction in that demand could not fail to have beneficial effects in his own country. Those were two aspects of the same problem and his delegation was pleased to see that the report had mentioned them.

32. Mr. BABAIAN (Union of Soviet Socialist Republics) said that the report before the Commission was quite comprehensive and presented a positive evaluation of the action taken by international organs and organizations. Referring to the regret expressed by some delegations that the 1971 Convention on Psychotropic Substances had not yet entered into force, he said that some progress had nevertheless been made in that direction. His country was still studying the Convention and would soon take a decision in the matter.

33. His delegation was pleased to note that most of the draft resolutions recommended by the Commission on Narcotic Drugs at its previous session had been adopted by the Economic and Social Council. The Commission had acted correctly in proposing the resolution on the cannabis problem.

34. He welcomed the information contained in the report on the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. The Congress had done useful work and made a number of important recommendations concerning illicit traffic and drug abuse. The question of the quantity and quality of the drugs involved should be taken into account when determining the penalties for users. That question had been discussed in the Supreme Soviet of the USSR. In evaluating the quantity of a given drug, it was important to take into account not only its weight but all its characteristics.

35. His delegation considered that the paragraph of the report dealing with the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders should have mentioned, first, the 1961 Single Convention, which had been ratified by 106 States, and then the 1971 Convention on Psychotropic Substances and the 1972 Protocol.

36. It was important that a number of international organizations had begun to deal with the question of drug abuse. The fact that the world community was now concerned with the problem was due in great part to the Commission's activities.

37. Mr. SMITH (Canada) asked what concrete action, particularly on funding, was being taken to obtain higher priority for work on narcotics. Was there any indication of the continued survival of technical commissions such as the Commission on Narcotic Drugs in the planned reorganization of the Economic and Social Council commissions? He thought that an item on the matter should be included in the agenda for the Commission's next session.

38. With regard to the list of international meetings on drugs, he agreed with the suggestion in paragraph 4 of document E/CN.7/584/Add.1 that it would be adequate to have a report on future meetings in the Information Letter. He noted that the Inter-Advisory Committee on Drug Abuse Control had suitably revised its terms of reference. The Commission, as the policy-making body, would have the benefit of the Committee's advice on broad objectives, technical approaches, short- and medium-term programmes, criteria and procedures for UNFODAC projects.

Chapter II - Implementation of the international treaties

39. Mr. BABAIAN (Union of Soviet Socialist Republics) said that his delegation was pleased to see the increase in the number of States acceding to the 1961 Single Convention on Narcotic Drugs. It hoped that many States would soon accede to the 1971 Convention on Psychotropic Substances.

40. Referring to the section on annual reports of Governments, he drew attention to paragraph 55 and said that it incorrectly included his Government as one from which

reports had not been received. His Government had submitted a report, whose receipt had been acknowledged by the Division of Narcotic Drugs, and which had described the various legislative measures adopted with regard to the treatment of drug addiction and the prohibition of poppy cultivation.

41. Mr. SCHROEDER (Federal Republic of Germany) said that his delegation looked forward to receiving from the Secretariat in the near future the version of the Single Convention, as amended according to the 1972 Protocol.

42. With regard to the 1971 Convention on Psychotropic Substances, which was shortly to enter into force, he said that the Commission would have to perform several tasks arising from that Convention. For example, under article 12, paragraph 2 (a), the Commission would establish a declaration form for exports of substances and preparations in Schedule III of the Convention. In countries which had already ratified the Convention or were making preparations for its ratification, various problems had arisen regarding the translation of the Convention into national law. In his view, for the purpose of uniform implementation, such problems should be discussed within the Commission. His Government would like to be given an opportunity to submit such a question under the Commission's agenda. He asked the secretariat to indicate the agenda item under which such a discussion might be possible. His own suggestion would be agenda item 7, "Programme of Work and Priorities".

43. As announced at the Commission's previous session, his Government would no doubt ratify the 1971 Convention on Psychotropic Substances during 1976. It had submitted the ratification bill to Parliament after overcoming considerable opposition from industry and the Federal Laender in protracted negotiations.

44. With regard to other legislative measures, he said that in 1975 the Federal Republic of Germany had incorporated the 1974 and 1975 decisions of the Commission concerning difenoxin and propiram into its national law. A bill concerning increased penalties for drug traffickers had been submitted to the Bundestag. The Federal Government had objected to that bill however since it considered that the existing penal provisions applied in cases of drug offenses were still adequate. Nevertheless, the Federal Republic of Germany intended to amend fundamentally the law on narcotic drugs in the forthcoming Parliamentary session and would at that time determine whether the penalties should be increased.

45. Recalling his statement at the previous session that the new ordinance on the prescription of narcotic drugs might result in a decrease of 15 to 20 per cent in prescriptions, he was pleased to inform members that the decrease had amounted to approximately 40 per cent by the end of 1974.

46. While welcoming the fact that for the year 1974, almost half of the annual reports had been established according to the revised questionnaire, and that for the year 1975 it was likely that all countries would be able to proceed in accordance with the new reporting scheme, his delegation did not believe that 1977 would be an appropriate time to review the revised questionnaire, since too little experience would have been gained by then, particularly with regard to the inclusion of psychotropic substances. His delegation therefore thought that the questionnaire should not be revised before 1979.

47. Mr. NOLL (Secretary of the Commission) drew attention to the last sentence of paragraph 56 of document E/CN.7/584. If the Commission agreed with the suggestion in that sentence, the secretariat would draft an appropriate decision to be submitted to the Commission at the end of the session, together with the final draft report. That also applied to paragraphs 59 and 60, which contained similar recommendations. If the Commission agreed to have summaries of annual reports prepared on a regular basis as a separate Commission document, the secretariat would make the list of national authorities and the list of manufactures annexes to the summary of annual reports. The secretariat's proposal would need the Commission's endorsement in the form of a decision.
48. In reply to a question put by Mr. GARCES-GIRALDO (Colombia), Mr. NOLL (Secretary of the Commission) pointed out that the information in the documents on illicit traffic and drug abuse were also taken from annual reports, but information on all other areas for which no specific document was prepared, such as implementation of treaties, control and social and legal measures, was published in document E/NR.1974/SUMMARY. As one of the Commission's main tasks was to consider the summaries of annual reports, which formed the basis of all work done by the Secretariat for the Commission, the secretariat suggested that it would be desirable to have such reports examined in future as a separate Commission document.
49. Mr. REXED (Sweden) said his delegation felt that it would be useful for the next few years for the Commission to have a completely up-to-date document. It therefore agreed with the suggestions made in paragraphs 56 and 59 of the report (E/CN.7/584).
50. Mr. SINGH (India) endorsed the Swedish representative's remarks.
51. The CHAIRMAN said that he would take it that the Commission endorsed the suggestions made by the Secretary regarding paragraphs 56, 59 and 60 and supported by the representatives of Sweden and India.
52. It was so decided.
53. Mr. VAILLE (France), referring to the question raised by the representative of the Federal Republic of Germany concerning the implementation of the 1971 Convention on Psychotropic Substances, said that, since the Commission had already adopted its agenda, it was not possible to include any additional items. He thought that when the Commission took up agenda item 7, it might include the question in its agenda for the next session.
54. Mr. NOLL (Secretary of the Commission) pointed out that in chapter IV of the programme of work and priorities, there was an item on the implementation of the 1971 Convention on Psychotropic Substances. The secretariat thought that the question raised by the representative of Germany could be discussed under that item.
55. Miss FRIDERICH (United Nations Educational, Scientific and Cultural Organization) said that she had a few points to add to the description of her organization's activities in the report (E/CN.7/584). The brochure "Drugs demystified: drug education" was now available in five languages: English, French, German, Portuguese and Spanish. A study had also been undertaken, within the context of the social sciences, on the causes of drug abuse.
56. A regional meeting of specialists had been held at Lima, with participants from 21 Latin-American and Caribbean countries. The meeting had been a multi-disciplinary one, the participants including teachers, doctors, pharmacists and psychiatrists.

57. The meeting had examined a number of topics, including drug education in the region, the objectives of drug education, the distinction between education and information with respect to drugs, teachers' training and educational methods and so forth. It had then made a number of suggestions and recommendations regarding action to be taken at the national, sub-regional and regional levels.

58. Although some participants had expressed doubts concerning the utility of such meetings, others had shown considerable enthusiasm. The working document of that meeting was at the disposal of members of the Commission.

59. It was intended to hold a similar meeting, at a later stage, in the Asian region.

Chapter III - Publications of the Division of Narcotic Drugs

60. Mr. MANJON (Argentina) said that his delegation was very grateful to the United Nations Fund for Drug Abuse Control for agreeing to finance the publication in Spanish of the unabridged edition of the Bulletin on Narcotics for a transitional period.

61. Mr. BARONA LOBATO (Mexico) said that the Bulletin on Narcotics was a publication with a long and honourable tradition, and was of considerable utility to all involved in work on narcotic drugs, throughout the world.

62. It was quite extraordinary that so many difficulties had been encountered in having a full Spanish edition published, despite the fact that Spanish was both an official and working language of the United Nations and, more specifically, of the Commission on Narcotic Drugs. The solution might be to submit a draft resolution for adoption by the Commission.

63. Mr. NOLL (Secretary of the Commission) said that the difficulty mentioned by the representatives of Argentina and Mexico was a purely technical one. The United Nations Publications Board needed a definite decision by the Commission before it could authorize the printing of the Spanish edition. Although a possibility, a resolution as such was not required, but the Commission would have to take a specific and clear decision on the matter. If members so desired, the Secretariat would prepare a draft decision.

64. He also informed the Commission that a small problem had been encountered by the Secretariat with respect to the inclusion of the information on "Action of international organs and organizations" in the annex to the report. In the past, such information had been directly included in the body of the report and no objections had been raised by the editing services in New York. Since the report was regularly used as a working document and the main source of information in that field, and was the only United Nations publication on sale giving such information, the information in question was regarded by the Commission as very useful and worth publishing, particularly as it was not readily available elsewhere.

65. If the Commission agreed that the information in question should continue to be supplied, whether in chapter II of the report or in an annex, the secretariat would, of course, follow its instructions.

66. Mr. VAILLE (France) said that his delegation was perfectly satisfied with the procedure adopted regarding such information in the previous year's report. He suggested that the matter be left to the Rapporteur and the Secretariat.

67. The CHAIRMAN said that, if there were no objections, he would take it that the Commission wished to leave the matter to the Rapporteur.

68. It was so decided.

List of International Meetings on Drugs reported for 1975 (E/CN.7/584/Add.1)

69. Mr. NOLL (Secretary of the Commission) said that the document in question had been produced by the Secretariat pursuant to a specific request by the Commission at its previous session.

70. The Commission might wish to decide that in future all such meetings should be published in the Information Letter, well in advance of the scheduled date, and that Governments should be requested to notify the Secretariat of such events in good time.

71. The CHAIRMAN said that, if there were no objections, he would take it that the Secretary's suggestion was approved.

72. It was so decided.

The meeting rose at 5.05 p.m.