

Ben-Gurion University of the Negev as a Drug-Free Environment

(University Regulation No. 14-001)

The United States Federal Government (Drug-Free Workplace Act of 1988) requires all institutions receiving federal research grants to maintain a drug-free work environment. Foreign institutions are also obligated to comply with this requirement in order to be considered eligible for U.S. federal grant support.

The widespread problem of drug abuse in the United States has created a desperate need for severe measures of prevention and control. The federal drug-free certification regulations are aimed at reducing the prevalence of drug abuse in the workplace as one technique in this ongoing battle. While this problem is still of a much smaller magnitude in Israel, studies over the past two decades have shown it to be increasing in recent years. The University accepts the U.S. regulations and requires of all its employees to uphold in good faith its policy of maintaining a drug-free work environment.

In light of signs of increases in the prevalence of drug abuse in Israel, Ben-Gurion University of the Negev (herein referred to as the university) has become concerned with this issue and has committed itself to the goal of maintaining a drug-free workplace.

This document is intended to inform researchers about:

- 1) Israeli drug legislation;
- 2) University regulations in this matter and available drug counselling services;
- 3) The American drug-free regulations which cover active and proposed research projects

Hazards of Drug Abuse in the Workplace

The issue of drugs in the workplace has been addressed for many years by occupational health experts and will be touched on only briefly here. As summed-up in *The Encyclopedia of Occupational Health and Safety* (3rd edition, L. Parmeggiani ed. , International Labour Office, Geneva, 1983; p. 667) "since dependence producing drugs variously affect neuromuscular co-ordination, reaction time, state of consciousness and judgement, their excessive use on or off the job, particularly by workers in hazardous occupations, is certainly contraindicated." The risk of job related injury and increased absenteeism has repeatedly been shown to be associated with drug abuse.

Israeli Law

Israeli national policy regarding the issue of drug use and abuse has three distinct but related dimensions: education and prevention, treatment, and legislation.

The legislative control of drugs is primarily based on six laws and four international treaties. Currently, 150 substances are controlled by law, in addition to their isomers, esters, ethers, salts or preparations containing these substances. Additional non illegal substances of addiction (e.g., acetone) are presently being listed for control. Israeli law establishes that Israeli courts have international jurisdiction, concerning drug-related offences, so that when an offence is committed outside of Israel, the offender can be prosecuted in Israel.

The Dangerous Drugs Ordinance (Rev Version) 5733-1973 establishes the main drug-related offences:

(1) This offence includes the abuse of drugs and the possession of drugs for personal abuse, as distinct from possession for trafficking (Sections 7 and 12 of the D.D.O.). Violators may be given a maximum penalty of three years imprisonment and a NIS 45,000 fine.

(2) Drug-trafficking: This includes (a) the prohibition to produce drugs, to trade with them, export them or import them, if any of this is done without an official permit; and (b) the possession of drugs, premises and utensils connected with the commission of one of the above-mentioned offenses (Section 6 to 9 and 13 to 19A of the D.D.O.). Violation of these prohibitions carries a maximum penalty of twenty years imprisonment and a NIS,1,800,000 fine.

Under the Dangerous Drug Ordinance (Amendment No.3) Law, 5749-1989, which was enacted in July 1989 and is in effect from February 1990, a person convicted for drug trafficking and declared a "drug dealer" by the Court is subject to the forfeiture of all his personal property (Sections 31(6) and 36A to 36J of the D.D.O. as added in Sections 11 and 14 of Amendment No.3).

(3) Enticement of minors: both to abuse drugs or to be parties to drug trafficking carries a maximum penalty of imprisonment up to twenty-five years and a NIS 1,800.000 fine (Sections 21 to 25 of the D.D.O.).

Amendment No.3 of this Ordinance establishes that a person who has committed an offense under this Ordinance may be disqualified from holding a driver's or vehicle license for such time as is considered necessary in order to protect the public. Should the offender hold a business or personal license, and the court decide that the offense was committed in the carrying out, or in the location of that business, the court may, in addition to any other penalty, order the denial of the license for a period it deems necessary to protect the public. Passport seizure may also be considered by the court when the offense was enabled by the use of an Israeli passport. (See section 37A and 37B of the Ordinance as given in Section 15 of Amendment No.3).

The Anti-Drug Authority Law (1988)

This law established the Anti-Drug Authority of Israel whose main function is to formulate policy with regard to the prevention of drug abuse, treatment and rehabilitation of drug addicts and enforcement of the laws and penalties pertaining to drug abuse. In addition, the Authority is to actively pursue these policies by co-

ordinating activities between Government offices and between Government and non-government bodies in Israel that deal with drugs, to encourage and support research in the area of drug abuse, to establish ties with agencies abroad who work in this field, and to encourage the training of personnel needed to deal with the problem of drug abuse in this country.

The other relevant laws refer to the medicinal use of controlled substances; required permits and conditions of possession; registration of drug recipients; drug testing for traffic violators; drug testing among soldiers; and imposed treatment for convicted drug addicts.

Israeli drug legislation conforms with regulations of the "Single Convention on Narcotic Drugs" treaty of 1961 and its amendment of 1972, of which Israel is a signatory member, and the "Convention of Psychotropic Substances" of 1971, to which Israel abides but is not a member. The "Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances" (1988) has been signed by Israel but not yet ratified.

University Regulations

The disciplinary regulations of the University maintain that any administrative or academic employee of the University who is convicted of a criminal offense involving moral turpitude is liable to face disciplinary proceedings in accordance with regulations. A student convicted of any conduct not befitting a student of the University, is similarly liable to disciplinary proceedings. Selling or taking drugs within the confines of the University constitutes such an offense.

Counselling and Rehabilitation Services

The low rate of reported drug abuse among University staff and students has not yet warranted the provision of drug counselling or treatment services through the university's health and psychological counselling services. Should the future trends in drug abuse warrant on-campus counselling services, the University would certainly meet this trend. A general drug information center may be established within the University in the near future. Counselling and rehabilitation services are currently maintained in Jerusalem and throughout the country by the Ministries of Health and of Labour and Social Welfare, as well as volunteer agencies such "Al-Sam" and Addicts Anonymous. Details regarding these services are available from the university's health services department. The Anti-Drug Authority has established a computerised information center on drugs.