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E/C.S.7/8
26 November 1946

ORIGINAL: ENGLISH

COMMISSION ON NARCOTIC DRUGS

FIRST SESSION

LIMITATION OF THE PRODUCTION OF RAW MATERIALS
(OPIUM AND COCA LEAF) USED IN THE MANUFACTURE OF NARCOTIC DRUGS

(Item 12 of the Provisional Agenda)

DOCUMENTS TRANSMITTED BY THE GOVERNMENT
OF THE UNITED STATES OF AMERICA

Note by the Assistant Secretary-General in charge
of the Department of Social Affairs

With reference to paragraph 2 of the covering note to document
E/C.S.7/6, the following documents are submitted herewith to the
Commission on Narcotic Drugs:

1. Letter of the Acting Secretary of State to the Secretary-General of the United Nations of 11 September 1946.
2. Letter of the Secretary-General of the United Nations to the Acting Secretary of State of 22 October 1946.
3. Public Law 400, approved by the 78th Congress of the United States of America, Chapter 363 - Second Session.
4. Notes exchanged with the Government of Afghanistan.
5. Notes exchanged with the Government of China.
6. Notes exchanged with the Government of Mexico.
7. Notes exchanged with the Government of Turkey.
8. Notes exchanged with the Government of the Union of Soviet Socialist Republics.
9. Notes exchanged with the Government of the United Kingdom.

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UNITED NATIONS
ARCHIVES

10. "United States Policy Relating to Opium"* and
11. "Limitation of the Production of Opium"*

* (Articles published in the Bulletin of the Department of State of 9 July and 10 December 1944, respectively, by Mr. George A. Morlock, of the Division of International Labour, Social and Health Affairs, Office of Economic Affairs, Department of State)

DEPARTMENT OF STATE
WASHINGTON

11 September 1946

Excellency:

The United States has long favoured limitation of the cultivation of the opium poppy. To this end it has urged the need for international co-operation between the producing and consuming countries, for the exchange of views and suggestions, and for the drafting of an international convention to which every country in the world shall be a party.

The desire of the people of the United States is reflected in the resolution introduced in the Congress by the Honourable Walter H. Judd which was approved by the President, 1 July 1944 (Public Law 400, 78th Congress). This law resolved "That the President be, and he hereby is, requested to approach the governments of all opium-producing countries throughout the world, urging upon them in the interest of protecting American Citizens and those of our allies and of freeing the world of an age-old evil, that they take immediate steps to limit and control the growth of the opium-poppy and the production of opium and its derivatives to the amount actually required for strictly medicinal and scientific purposes."

Pursuant thereto the United States Government in August 1944 addressed instructions to its missions to the Afghan, British (for India and Burma), Chinese, Iranian, Mexican, Soviet, Turkish and Yugoslav Governments, enclosing the texts of the resolution and of draft memoranda with the request that they be transmitted to those Governments in such manner as the missions

His Excellency,
Trygve Lie
Secretary-General of the
United Nations,
New York, New York

might consider appropriate. These were the Governments of the principal opium-producing countries with which the United States had friendly relations.

Replies have been received from the Governments of Afghanistan, China, Mexico, Turkey, the Union of Soviet Socialist Republics and the United Kingdom. The Governments of Iran and Yugoslavia have not yet presented their replies. The American Embassy at Tehran has reported that the Prime Minister of Iran on 10 April 1946 issued instructions to the Governors of Provinces that the cultivation of opium poppy should cease as of this year, and that he further ordered the Ministries of Agriculture and Finance to draw up the necessary enforcement measures.

Annexed hereto, are the texts of Public Law 400, 78th Congress and of the notes exchanged with the Governments of Afghanistan, China, Mexico, Turkey, Union of Soviet Socialist Republics and the United Kingdom.

There are also annexed hereto, copies of articles entitled, "United States Policy Relating to Opium", and "Limitation of the Production of Opium," which appeared in the Department of State Bulletins of 9 July 1944 and 10 December 1944, respectively.

There is no objection to the distribution to the members of the Commission on Narcotic Drugs and other Governments of the present communications and its enclosures.

Accept, Excellency, the renewed assurances of my highest consideration.

W. Y. Clayton

Acting Secretary of State

Enclosures:

As stated above.

501.BD Narcotics/

22 October 1946

Sir,

I have the honour to acknowledge the receipt of your letter of 11 September 1946, regarding the measures taken by the United States Government pursuant to Public Law 400, 78th Congress, which constituted a resolution requesting the President of the United States to urge the opium producing countries to limit production to medicinal and scientific requirements.

A copy of this letter and the documents annexed thereto will be sent to the members of the Commission on Narcotic Drugs who will be requested to advise as to the form in which it should be transmitted to Governments.

I have the honour to be,

Sir,

Your obedient Servant,

Trygve Lie
Secretary-General

The Honorable
William L. Clayton
Acting Secretary of State
Department of State
Washington, D. C.

PUBLIC LAW 400 - 78th CONGRESS

(Chapter 363 - Second Session)

JOINT RESOLUTION

Requesting the President to urge upon the governments of those countries where the cultivation of the poppy plant exists, the necessity of immediately limiting the production of opium to the amount required for strictly medicinal and scientific purposes.

Whereas for nearly forty years the United States of American has led the fight to destroy the illicit traffic in and non-medical consumption of opium, as evidenced by its abolishing the opium monopoly system which it inherited in the Philippine Islands; its calling at Shanghai in 1909 the first International Commission to consider the opium problem; its suggesting the calling of the three International Opium Conferences at The Hague in 1913, 1913, 1914; its urging at the International Opium Conference of 1924 and 1925 sponsored by the League of Nations that the only effective way to suppress the demoralizing use of opium and its derivatives (heroin, morphine, and so forth) was to control the source of the evil by limiting the cultivation of the poppy plant to the legitimate medicinal and scientific needs of the world; and its further participation in the Geneva Conference of 1931 to restrict the manufacture and distribution of narcotic drugs; and

Whereas the laws of the Chinese Government strictly prohibit the cultivation of the opium poppy and the use of smoking opium in all territory under its control, and the people of China have valiantly resisted the attempts of the invading Japanese militarists to enslave them by encouraging and even compelling the cultivation and use of opium; and

Whereas final defeat of Japan will terminate the illicit traffic in narcotics which has been carried on by the Japanese military in all

territories they have occupied in the Far East; and

Whereas the British and the Netherlands Governments have recently announced their decision to prohibit the use of opium for smoking and not to re-establish their government monopolies for the sale of smoking opium in the territories formerly controlled by them in the Far East when those territories are freed from Japanese occupation, stating however that the success of their action must in the final analysis depend upon the co-operation of the opium-growing countries; and

Whereas because of our military operations in certain other areas in Asia, there are now thousands of young American citizens in countries where opium is cultivated and freely available, and other Americans are on vessels delivering war materials to those countries, which condition constitutes a real threat to the health and welfare of these Americans and affords easy opportunity for the highly profitable smuggling of opium into the United States where its use has been greatly reduced: Therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress express its conviction that this World War ought to be not an occasion for permitting expansion and spreading of illicit traffic in opium, but rather an opportunity for completely eliminating it; and be it further

Resolved, That the President be, and he hereby is, requested to approach the Governments of all opium-producing countries throughout the world, urging upon them in the interest of protecting American citizens and those of our allies and of freeing the world of an age-old evil, that they take immediate steps to limit and control the growth of the opium poppy and the production of opium and its derivatives to the amount actually required for strictly medicinal and scientific purposes.

Approved 1 July 1944.

EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF
THE UNITED STATES AND THE GOVERNMENT OF AFGHANISTAN

Memorandum dated 22 September 1944, transmitted from the Government of the United States to the Government of Afghanistan.

With further reference to the Legation's Memorandum of 20 June 1944, there is transmitted to the Royal Government of Afghanistan a copy of Public Law 400, Seventy-eighth Congress of the United States of America, approved on 1 July 1944. In compliance therewith the Government of the United States urges the Government of Afghanistan to take steps to limit the production of opium in Afghanistan to the amount required for medicinal and scientific purposes.

As the Government of Afghanistan is aware, the Governments of the United Kingdom and the Netherlands, after pursuing for many years a policy of gradual suppression of the use of smoking opium, announced on 10 November 1943, their decisions to prohibit the use of smoking opium in their Far Eastern territories when those territories are freed from Japanese occupation and not to re-establish their opium monopolies. Copies of those announcements, together with the statements made by spokesmen of the United States and Chinese Governments on 10 and 24 November 1943, respectively, were attached to this Legation's above-mentioned Memorandum of 20 June 1944. Following the surrender of Japan, this Government, in co-operation with other interested Governments, will do everything possible to prevent Japan and the Japanese from spreading the use of narcotics for the satisfaction of addiction.

After the war, as a result of the decisions of the British and Netherlands Governments and the uncompromising attitude of the Chinese and United States Governments, there will be no legitimate market for smoking opium in a vast Far Eastern area. Consequently, in future, exports of opium will have to be limited to the demands of the world

market for opium for medicinal and scientific requirements.

This Government concurs in the opinion of the British Government, as stated in its announcement of 10 November 1943, in regard to the prohibition of smoking opium in the Far East that "The success of the enforcement of prohibition will depend on the steps taken to limit and control the production of opium in other countries." In this connection the total requirements of the world for raw opium for the years 1933 and 1938, as computed from the League of Nations documents O.C. 1761, 27 August 1940, and O.C. 1758, 15 April 1939, are reproduced below:

	<u>For manufactured narcotic drugs</u>	<u>For prepared opium</u>	<u>Total Kilogrammes</u>
1933	227,494	297,325	524,819
1934	245,201	348,503	593,704
1935	255,808	326,047	581,855
1936	323,114	345,949	668,063
1937	343,841	390,148	733,989
1938	312,832	374,248	687,080

During the period immediately after the war, it is estimated that the world market for opium for medicinal and scientific purposes will require about 400,000 kilogrammes of opium, whereas world production of raw opium for the year 1944 has been estimated by experts of this Government, in the absence of exact figures, as amounting to about 2,400,000 kilogrammes. There is also an estimated production in Central Europe of morphine direct from poppy straw, totalling about 8,500 kilogrammes.

The United States Government believes that it is necessary to limit and control the cultivation of the opium poppy in order to suppress drug addiction and the illicit traffic, and is prepared to co-operate with all nations in efforts to solve the problem. It hopes that Afghanistan and all other opium-producing countries will be willing to participate in a conference which is expected to be held after the war for the purpose of drafting a suitable poppy limitation convention, preparations for which were undertaken several years ago by the Opium Advisory Committee.

In the hope of expediting and promoting agreement, the United States Government suggests that the proposed convention should contain provisions:

1. Stating in clear language that its objectives are (a) to suppress the abuse of narcotic drugs, and (b) to supplement The Hague Opium Convention of 1912.
2. Restricting the cultivation of opium poppies for the production of raw opium to the countries which have been producing opium in quantity for many years, and restricting the number of countries which may export opium to not more than five of the largest producers.
3. Restricting the cultivation of opium poppies for the direct extraction of morphine to present or lower levels, and prohibiting the exportation of any of the extracted morphine.
4. Establishing a Control Body consisting of not more than seven members who shall have adequate powers to enforce compliance with their decisions.
5. Requiring all countries and territories to submit estimates of their requirements for raw opium annually to the Control Body.
6. Specifying that each opium producing-exporting country be allotted by the Control Body an annual production and export quota.
7. Requiring all importing countries and territories to buy in a given year the quantities of opium estimated as needed for that year.
8. Assuring to the producer a fair return.
9. Requiring the standardization of opium by all producers.
10. Requiring the licensing and complete control of all cultivators by the national authorities, with the submission annually of accurate statistics covering the area cultivated and the quantity of opium produced.

11. Incorporating a system of complete and absolute government control over the distribution of opium and any products of the poppy containing morphine, and over all stocks of opium.
12. Stipulating that the parties to the proposed convention which are not parties to the Geneva Drug Convention of 1925 agree to apply Chapter V of the latter convention, which sets up a system of import permits and export authorizations for the control of the international trade in opium and other dangerous drugs.
13. Prohibiting a producing country which becomes a party to the convention from supplying, directly or indirectly, consuming countries which have not become parties to the convention, and prohibiting consuming countries which become parties to the convention from buying from producing countries which have not become parties to the convention.
14. Stipulating that opium coming from States which are not parties to the convention shall not be allowed to pass through the territory of parties to the convention.
15. Calling for the prohibition of the manufacture, importation, exportation, and use of smoking opium, and the closing of opium monopolies.
- 16 Stipulating that a consuming country, either in the event of a demonstrated discrimination against a consuming country in the matter of supply, or in the event of an emergency arising which interferes with or closes the existing source of supply of the said consuming country, may become a producing country, but only with the consent of the Control Body.
17. Insuring the absolute and complete independence of the Control Body.
- 18 Establishing a businesslike and specific arrangement whereby the parties to the convention accept responsibility for, and agree

to pay each their fair share of, the cost of implementation through machinery set up by the convention.

The Government of Afghanistan will doubtless concur that only an international agreement limiting the production of raw opium and restricting the production of poppy straw for the direct extraction of morphine, can protect the international market for raw opium against the competition which would result were poppy straw to be produced not only in the countries where it is now being produced but in many other countries also. One of the aims of United States policy is to have poppy straw production frozen at present or lower levels. This objective will be strongly supported at the contemplated poppy limitation conference.

Pending the entering into effect of an international poppy limitation convention, this Government suggests that it would be helpful if the Government of Afghanistan would give immediate consideration to the advisability of announcing at the earliest possible moment that it will hereafter prohibit the production and export of opium for other than strictly medicinal and scientific purposes, and will take effective measures to prevent illicit production of opium in its territories and illicit traffic in opium from its territories.

The Government of the United States is now making this same suggestion to each opium-producing country with which it has friendly relations. It believes that the adoption of such a policy by each of those countries would go far to ensure the success of the prohibition of the use of prepared opium in the Far East, and to safeguard all countries against the possibility of an era of increased drug addiction similar to that which followed the first World War. It may be pointed out that if most of the opium-producing countries were to make sacrifices for the common good by limiting production to an authorized proportion of the total quantity of opium required by the world for medicinal and scientific purposes, and one country were to continue to produce large quantities

annually for its own non-medical use, the law of supply and demand would inevitably cause such a reservoir to be drawn upon by illicit traffickers for their supplies.

It would be appreciated if the Royal Government of Afghanistan would inform the Government of the United States at an early date whether it is prepared to make the suggested announcement concerning the limitation of the production of opium to medicinal and scientific requirements. It would also be appreciated if the Government of Afghanistan would communicate to this Government its observations in regard to the provisions which this Government has suggested be incorporated in the proposed poppy limitation convention.

NOTE, DATED 11 NOVEMBER 1944, (19 AFRAB 1323),
FROM THE MINISTRY OF FOREIGN AFFAIRS OF AFGHANISTAN,
DIVISION OF INTERNAL AFFAIRS,
REPLYING TO THE NOTE OF THE AMERICAN MINISTER TO AFGHANISTAN (TRANSLATION).

The Royal Afghan Ministry of Foreign Affairs presents its compliments and, referring to the Legation's note No. 459 of 26 September 1944, has the honour to state that, following upon the request of the Legation, this Ministry has received information from the Department of Agriculture that the Ministry of National Economy recently reported to the Council of Ministers concerning the difficulties with respect to the cultivation of and trade in opium and, after compliance with the legal requirements, has received the following resolution of the Council of Ministers on the subject:

"Although opium is considered one of the export products which enjoy a ready and profitable market abroad at present, its cultivation in view of the non-existence of the necessary controlling organizations, has evil effects, both morally and materially, upon the public health. For this reason the Council of Ministers has passed a resolution that the cultivation of opium be prohibited as from the beginning of 1324 (21 March 1945). The Ministry of National Economy should notify, by means of signed orders of

the Prime Minister and the publication of notices in the press, all provinces and districts of the prohibition of opium cultivation."

This prohibition of opium cultivation in Afghanistan, which has been approved by the higher authorities, is communicated to the Legation in order that the information may be conveyed to the competent United States Government Departments. The decision has already been published in No. 3974 of the Islah as a general notice of the Ministry of National economy.

NOTES EXCHANGED WITH THE GOVERNMENT OF CHINA

THE AMERICAN EMBASSY AT CHUNGKING SENT THE FOLLOWING NOTE,
DATED 14 SEPTEMBER 1944,
TO THE MINISTRY OF FOREIGN AFFAIRS OF THE CHINESE GOVERNMENT

The American Embassy presents its compliments to the Ministry of Foreign Affairs and, under instruction, has the honour to transmit, for the information of the Chinese Government, a copy of Public Law 400, Seventy-eighth Congress of the United States of America, approved 1 July 1944, in regard to the limitation of the production of opium to medicinal and scientific requirements, and to communicate to the Chinese Government the comments, information and suggestions set forth below:

The American Government is, of course, aware that the cultivation of the opium poppy is prohibited in China and has noted with gratification the various measures set forth in an aide-memoire from the Chinese Embassy dated 15 July 1944, being taken by the Chinese Government to this end.

The American Government desires, however, at this time to draw the attention of the Chinese Government to the world narcotics situation and to express the hope that the Chinese Government will continue to co-operate with the other nations of the world in the solution of the opium problem.

As the Chinese Government already knows, the Governments of the United Kingdom and the Netherlands, after pursuing for many years a policy of gradual suppression of the use of smoking opium, announced on 10 November 1943, their decisions to prohibit the use of smoking opium in their Far Eastern territories when those territories are freed from Japanese occupation and not to re-establish their opium monopolies.

Following the surrender of Japan, the American Government, in co-operation with other interested governments, will do everything possible to prevent Japan and the Japanese from spreading the use of narcotics for the satisfaction of addiction.

After the war, as a result of the decisions of the British and

Netherlands Governments and the uncompromising attitude of the Chinese and United States Governments, there will be no legitimate market for smoking opium in a vast Far Eastern area. Consequently, in future, exports of opium will have to be limited to the demands of the world market for opium for medical and scientific requirements.

The American Government concurs in the opinion of the British Government, as stated in its announcement of 10 November 1943, in regard to the prohibition of smoking opium in the Far East that "The success of the enforcement of prohibition will depend on the steps taken to limit and control the production of opium in other countries." In this connection the total requirements of the world for raw opium for the years 1933 to 1938, as computed from League of Nations documents O.C.1781(1), 27 August 1940 and O.C.1758, 15 April 1939, are reproduced below:

	For manufactured narcotic drugs	For prepared opium	Total kilogrammes
1933	227,494	297,325	524,819
1934	245,201	348,503	593,704
1935	255,808	326,047	581,855
1936	323,114	345,949	668,063
1937	343,841	390,148	733,989
1938	312,832	374,248	687,080

During the period immediately after the war, it is estimated that the world market for opium for medical purposes will require about 400,000 kilogrammes of opium, whereas world production of raw opium for the year 1944 has been estimated by experts of the American Government, in the absence of exact figures, as amounting to about 2,400,000 kilogrammes. There is also production in Central Europe of morphine direct from poppy straw totaling about 8,500 kilogrammes.

The American Government believes that it is necessary to limit and control the cultivation of the opium poppy in order to suppress drug addiction and the illicit traffic, and is prepared to co-operate with all nations in efforts to solve the problem. It hopes that China and all opium-producing countries will be willing to participate in a conference

which is expected to be held after the war for the purpose of drafting a suitable poppy limitation convention, preparations for which were undertaken several years ago by the Opium Advisory Committee.

In the hope of expediting and promoting agreement, the American Government suggests that the proposed convention should contain provisions:

(Here follow the 18 provisions reproduced above, on pages 10, 11 and 12.)

For the information of the Chinese Government, the American Government is suggesting to each opium-producing country with which it has friendly relations that it would be helpful, pending the entering into effect of an international poppy limitation convention, if it would give consideration to the advisability of announcing at the earliest possible moment that it will prohibit the production and export of opium for other than strictly medicinal and scientific purposes, and that it will take effective measures to prevent illicit production of opium in its territories and illicit traffic in opium from its territories.

The American Government believes that the adoption of such a policy by each of those countries would go far to ensure the success of the prohibition of the use of prepared opium in the Far East and to safeguard all countries against the possibility of an era of increased drug addiction similar to that which followed the first World War.

It may also be pointed out that if most of the opium-producing countries were to make sacrifices for the common good by limiting production to an authorized proportion of the total quantity of opium required by the world for medical and scientific purposes, and one country were to continue to produce a large quantity of opium annually for its own non-medical use, such a reservoir would inevitably be drawn upon by illicit traffickers for their supplies.

It would be appreciated if the Chinese Government would communicate to the American Government its observations in regard to the provisions which the American Government has suggested be incorporated in the proposed poppy limitation convention.

NOTE DATED 19 JANUARY 1945 FROM THE MINISTRY OF
FOREIGN AFFAIRS OF THE CHINESE GOVERNMENT, REPLYING
TO THE NOTE OF THE AMERICAN EMBASSY (TRANSLATION):

The Ministry of Foreign Affairs presents its compliments to the American Embassy and has the honour to acknowledge the receipt of the Embassy's third person note of 14 September 1944, enclosing a copy of Public Law 400, approved by the 78th Congress, in regard to the limitation of the production of opium. The Embassy also communicated to the Chinese Government certain comments, pertinent information and suggestions by the American Government concerning the suppression of opium and requested the observations of the Chinese Government in regard to the provisions suggested by the American Government to be included in an international poppy limitation convention.

As the Chinese Government has consistently followed the policy of rigid suppression of narcotics, the Chinese Government therefore approves in principle the proposals of the American Government.

NOTES EXCHANGED WITH THE GOVERNMENT OF MEXICO

THE AMERICAN CHARGE D'AFFAIRES AD INTERIM TO MEXICO SENT THE FOLLOWING NOTE
DATED 10 OCTOBER 1944
TO THE MINISTER FOR FOREIGN AFFAIRS OF MEXICO

Pursuant to instruction from the Department of State, I have the honour to transmit herewith a copy of Public Law 400, 78th Congress of the United States of America, approved on 1 July 1944, in regard to the limitation of the production of opium to the amount required for strictly medicinal and scientific purposes.

The Government of the United States is convinced that drug addiction and the illicit traffic in narcotic drugs should be eliminated, as they are destructive of health and injurious socially and economically, and that they can only be successfully combated at their source. It may be pointed out that even if most of the opium-producing countries were to make sacrifices for the common good by limiting production to an authorized proportion of the total quantity of opium required by the world for medical and scientific purposes and one country were to produce a large quantity of opium for non-medical purposes, such a reservoir would inevitably be drawn upon by illicit traffickers for their supplies.

The United States, which is one of the principal victims of the illicit traffic, has constantly, through its representatives at international conferences, carried on a vigorous campaign looking to the suppression of the abuse of narcotic drugs. Recognizing that production of opium over and above strictly medicinal needs is the fundamental cause of illicit traffic, the United States has been making every effort to persuade the poppy-growing countries of the world to reduce production. For this reason the United States has discouraged the planting of the opium poppy within its territories and possessions for the production of opium or opium products, and whenever opportunity has offered has discouraged production in this hemisphere.

My Government is aware, of course, that the laws of Mexico prohibit the cultivation of the opium poppy. Notwithstanding this prohibition, however, illicit cultivation of the opium poppy and production of opium have gradually increased in recent years in the states of Sinaloa, Sonora, Chihuahua and Durango. It was gratifying to my Government to observe that Your Excellency's Government perceived the dangers inherent in the situation and took energetic measures early this year to destroy a considerable proportion of the illegal poppy fields. Your Excellency will recall the recent conversations I have had the honour of having with you in this regard. My Government now ventures to express the hope that the Government of Mexico will continue to make every effort to discourage and prevent the planting of opium poppies within its territories and that if any are grown, it will organize a campaign for their destruction.

The Government of the United States appreciates the co-operation of Your Excellency's Government in efforts which are being made to suppress the illicit traffic of narcotic drugs between Mexico and the United States and on its part offers to the Mexican Government any assistance which it may appropriately render towards the solution of the opium problem.

NOTES NOS. 561070, DATED 26 OCTOBER 1944 AND 50577, DATED 11 JANUARY 1945
FROM THE MINISTRY OF FOREIGN AFFAIRS, REPLYING TO THE
NOTE OF THE AMERICAN CHARGE D'AFFAIRES

561070

I have the pleasure to refer to the Embassy's courteous note No. 3162, dated 10 October 1944, and to inform you that I have already communicated with the Ministry of Public Health and Assistance, transmitting to it the text of the note to which I now have the pleasure to reply and asking it to be kind enough to inform this Ministry regarding the measures which the Government of Mexico proposes to take in order to discourage and stop the cultivation of the opium poppy within

the territory of the Republic.

In informing you that as soon as information is received concerning the above-mentioned matter I shall take pleasure in transmitting it to you, I avail myself (etc).

50577

I have the honour to refer to the Embassy's courteous note No. 3162, dated 10 October 1944, and to inform you that the Ministry of Public Health has informed me that at the present time the greatest possible action is being taken to suppress the illicit traffic in narcotic drugs as well as in the cultivation of the opium poppy and all the other aspects of that illegal traffic.

The same Ministry states that at the present time the Inspectors of the Federal Narcotic Police are making a tour of the various frontier states of the north of Mexico, accompanied by Senor Salvador C. Pena, Representative of the Treasury Department of the Government of the United States, as well as that among its plans for work are included intense campaigns in the aspect above mentioned, whose success indicates that in the future the solution of this important problem will be arrived at.

NOTES EXCHANGED WITH THE GOVERNMENT OF TURKEY

THE AMERICAN EMBASSY AT ANKARA SENT THE FOLLOWING NOTE,
DATED 22 SEPTEMBER 1944, TO THE MINISTRY OF
FOREIGN AFFAIRS OF THE TURKISH GOVERNMENT

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and has the honour to transmit herewith a copy and a translation of Public Law 400, Seventy-eighth Congress of the United States of America, approved 1 July 1944, requesting the President to urge upon the Governments of those countries where the cultivation of the poppy plant exists the necessity of immediately limiting the production of opium to the amount required for strictly medicinal and scientific purposes.

As the Ministry is, of course, aware, the Governments of the United Kingdom and the Netherlands, after pursuing for many years a policy of gradual suppression of the use of smoking opium, announced on 10 November 1943 their decisions to prohibit the use of smoking opium in their Far Eastern territories when those territories are freed from Japanese occupation and not to re-establish their opium monopolies. Copies of those announcements, together with the statements made by spokesmen of the United States and Chinese Governments on 10 and 24 November 1943, respectively, commenting on those announcements, are attached hereto for convenience of reference. Following the surrender of Japan, the United States Government, in co-operation with other interested governments, will do everything possible to prevent Japan and the Japanese from spreading the use of narcotics for the satisfaction of addiction.

After the war, as a result of the decisions of the British and Netherland Governments and the uncompromising attitude of the Chinese and United States Governments, there will be no legitimate market for smoking opium in a vast Far Eastern area. Those countries which have

in the past produced and exported opium for use in the manufacture of smoking opium will be obliged in the future to limit their exports to the demands of the world market for opium for medical and scientific requirements.

The United States Government concurs in the opinion of the British Government, as stated in its announcement of 10 November 1943, in regard to the prohibition of smoking opium in the Far East that "The success of the enforcement of prohibition will depend on the steps taken to limit and control the production of opium in other countries". In this connection the total requirements of the world for raw opium for the years 1933 to 1938, as computed from League of Nations documents O.C. 1781 (1), 27 August 1940 and O.C. 1758, 15 April 1939, are reproduced below:

	For manufactured narcotic drugs	For prepared opium	Total Kilogrammes
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During the period immediately after the war, it is estimated that the world market for opium for medicinal purposes will require about 400,000 kilogrammes of opium, whereas world production of raw opium for the year 1944 has been estimated by experts of the United States Government, in the absence of exact figures, as amounting to about 2,400,000 kilogrammes. There is also estimated production in Central Europe of morphine direct from poppy straw totaling about 8,500 kilogrammes.

The United States Government believes that it is necessary to limit and control the cultivation of the opium poppy in order to suppress drug addiction and the illicit traffic, and is prepared to co-operate with all nations in efforts to solve the problem. It hopes that Turkey and all opium-producing countries will be willing to participate in a conference which is expected to be held after the war for the purpose

of drafting a suitable poppy limitation convention, preparations for which were undertaken several years ago by the Opium Advisory Committee.

In the hope of expediting and promoting agreement, the United States Government suggests that the proposed convention should contain provisions:

(Here follow the 18 provisions reproduced above, on pages 10, 11 and 12.)

The Ministry will doubtless concur that only an international agreement limiting the production of raw opium and restricting the production of poppy straw for the direct extraction of morphine can protect the international market for raw opium against the competition which would result were poppy straw to be produced not only in the countries where it is now being produced but in many other countries also. One of the aims of United States policy is to have poppy straw production frozen at present or lower levels. This objective will be strongly supported at the contemplated poppy limitation conference.

An international poppy limitation convention could also possibly furnish protection to the trade in raw opium against the new synthetic drug isonipecaine (also known as dolantin and demerol). This drug was originally manufactured by the Bayer firm in Germany from coal tar. It is a satisfactory therapeutic substitute for morphine, as its analgesic properties are almost identical with those of morphine. Isonipecaine, under various trade names, is now being manufactured in many countries for medicinal purposes. It may replace morphine to a considerable extent, thus diminishing the demand for opium for medicinal use.

Pending the entering into effect of an international poppy limitation convention, the United States Government suggests that it would be helpful if the Government of Turkey would give immediate consideration to the advisability of announcing at the earliest possible moment that it will hereafter prohibit the production and export of opium for other than strictly medicinal and scientific purposes and will take effective measures to prevent illicit production of opium in its territories and illicit traffic in opium from its territories.

The Government of the United States is now making this same suggestion to each opium-producing country with which it has friendly relations. It believes that the adoption of such a policy by each of those countries would go far to ensure the success of the prohibition of the use of prepared opium in the Far East and to safeguard all countries against the possibility of an era of increased drug addiction similar to that which followed the first World War.

It would be appreciated if the Ministry would inform the Embassy at an early date whether the Turkish Government is prepared to make the suggested announcement concerning the limitation of the production of opium to medicinal and scientific requirements. It would also be appreciated if the Ministry would communicate to the Embassy for transmission to the Government of the United States such observations as it may care to submit in regard to the provisions which the United States Government has suggested be incorporated in the proposed poppy limitation convention.

NOTE, DATED 14 MAY 1945, FROM THE MINISTRY OF FOREIGN AFFAIRS
OF THE TURKISH GOVERNMENT, REPLYING TO THE NOTE OF THE
AMERICAN EMBASSY (Translation)

The Ministry of Foreign Affairs has the honour to acknowledge receipt of the Embassy of the United States of America's note dated 22 September 1944, concerning the promulgation of Public Law No. 400, of the Seventy-eighth Congress of the United States, and the propositions of the American Government, with regard to the limitation of the world production of opium to the quantity necessary for purely medical and scientific purposes.

Having submitted the aforementioned note and the texts enclosed thereto to the study of the interested authorities, this Ministry has the honour of making known to the honourable Embassy, with regard to the suggestions formulated by the Government of the United States, the observations and suggestions which follow.

It is with keen interest that the Turkish Government has examined this recent initiative of the Federal Government, having as its purpose the prevention, by measures reducing the production on an international scale, of the harmful usage of opium, and thus realizing the aim which had not been attained, either in 1925 by the Second Convention of Geneva or by the Conference which met in Bangkok in 1933. The determination expressed by the Government of the United States of doing, at the close of hostilities in the Far East, all that which is in its power to prevent Japan and the Japanese from propagating the use of narcotics in that region, as well as the decision of the Governments of the United Kingdom and the Netherlands to prohibit the use of making (smoking) opium in their territories in the Far East when the Japanese occupation of these territories will have come to an end, are also happy auspices which make one hope that this time a successful conclusion will be given to a definitive and universal ruling.

With regard to the attitude of Turkey toward this question, this Ministry can only re-affirm the unreserved good will which has been shown in the preceding sentences of the Government of the Republic, which, considering the eminent importance of the humanitarian aspect of the problem of the consumption of opium and with full knowledge of the responsibility derived therefrom for the producing countries, has pledged itself, since 1932, to adhere to every international convention ad hoc, which has collaborated with entire good faith in the work of the Advisory Committee of the League of Nations, and which has not hesitated before important sacrifices of economic order and social difficulties arising from the limitation of the culture of the opium poppy in Turkey, in the sole purpose of contributing to this beneficial action.

In Turkey, the opium trade like that of other narcotics is centralized in the hands of a state monopoly. The entire opium production is bought by the Office of Land Products, a state institution, which makes up its

stocks and, should the occasion arise, effects the exportation of it through the intermediary of the state monopoly and by means of an importation license delivered by the proper authority of the consignee country.

May it be recalled that following effective legislative measures taken by the Government in application of the Geneva Convention and the coming into effect of regulations concerning the Office of the Land Products, the production of raw opium in Turkey, which is calculated for the years 1929-1933 at an annual average of 394,000 kg. (document O.C. Confid. 11/18 (3) of the League of Nations dated 15 May 1939), decreased during the years 1934-1937 to an average of 280,782 kg., which corresponds to a decrease of 28.73 per cent, and this decrease attained, for the period 1938-1944, a proportion of 38.63 per cent, that is, an annual average production of 215,142 kg.

The Government of the United States of America can then be assured that the Turkish Government is entirely disposed to participate in the conference planned after the war, and that it will consent to every limitation of production which may be contemplated under equal conditions for all producers.

The suggestions which the Government of the United States, in the hope of accelerating and of promoting the conclusion of an agreement, has indeed wished to make with regard to stipulations which the new Convention should contain, have been the object of a careful examination on the part of the competent authorities, and the Ministry desires, hereunder, to inform the honourable Embassy of some reflections of the interested services in connection with the different points contemplated.

1. Considering that the purpose of the new Convention should be defined as being the suppression of the vicious use of narcotics, it would be advisable to modify article 2 of the project dated 9 June 1939, elaborated by the Advisory Committee at Geneva (Document O.C. Conf.50/2 of the League of Nations) which contemplates the production of raw opium for

- (a) medical and scientific purposes as well as medicines meeting these requirements;
- (b) smoking opium whose consumption is foreseen in Article 31 of the same project; and
- (c) opium to be used for any sort of consumption admitted through the legislation of the country in which it should be utilized.

In the opinion of the Turkish Government, paragraphs 2 and 3 may be suppressed; they are in accord with Article 31 of the project, aiming to eliminate the consumption of smoking opium, proceeding through progressive reductions.

2. According to the publications of the League of Nations referring to the year 1937 - the latest date distributed by the League of Nations - the classification of the different producers of opium is the following, in order of quantities produced:

China	1,063,295 kg
Iran	521,715 "
Turkey	269,656 "
Indian States	250,984 "
URSS (USSR)	85,220 "
Yugoslavia	53,000 "
Territories in India of the British Empire	47,381 "
Korea	28,847 "
Japan	21,771 "
Bulgaria	6,175 "

The limitation of the culture of the poppy to not more than five countries being proposed, it would be necessary to consider that in the event that the Conference should adhere to the point of view of the American Government, of the countries enumerated above those counting from Yugoslavia should suppress the culture of the poppy. The interested authorities who have recalled the figures above-mentioned only as a demonstrative claim realize perfectly that in case of the general acceptance of the formula specified by the Government of the United States, it would be necessary to take as a basis, for the necessary elimination of the producers, data broader than the production figures of a single year; it would be advisable, for example, to consider the average of a suitable period, the curve of the production in the different countries and the

general of particular causes which were able to influence the noted movements in the culture of the poppy, as well as the different categories and qualities of the plant, cultivated in the countries in question.

3. The thesis supported by the Delegation of Turkey and approved by Yugoslavia from the first session of the Opium Advisory Committee in 1939, and in the course of the deliberations bearing on the project of the Convention whose elaboration was judged necessary in order to extend and complete the provisions of the Conventions of The Hague (1912) and of Geneva (1925) demanded the pure and simple prohibition of the culture of the poppy destined for the direct extraction of morphine. As it was already demonstrated from these deliberations, it is in no way acceptable, nor just or equitable, that a decrease in the production of the poppy which has been obtained only through sacrifices consented to by the producing countries in the aim of serving a humanitarian ideal be turned to account by other countries in order to be compensated, even in part, by new methods of production which should come to be sanctioned. The proposition to maintain at the present level the direct production of morphine would endanger the legitimate interests of the exporting countries, since it is easy to foresee that the direct method, employed especially in Hungary, Poland and in USSR, will have made great progress in the course of the last years.

4. With regard to the proposition of forming a control commission composed of not more than seven members furnished with sufficient power to have its decisions executed, one needs only to revert to the petition formulated in 1939 aiming at the equitable representation within the committee of the producing countries who, under the circumstances, are interested in the first place, and to hope that this commission will be invested with such powers as it has need of to fulfill its task under the desired conditions.

5. No observation.

6. Considering that the harvesting depends, as for every agricultural product, on atmospheric conditions during the periods of sowing and cutting and that it is, from this fact, impossible to fix in advance exactly the quantity to obtain, the question of the settlement for adjustment of stocks, of the state and of the private stock in the exporting countries as well as in the importing countries; a measure recommended in 1939, should be the object of a careful study.
7. No observation.
8. The Turkish Government pays particular attention to the question of seeing assured for the cultivator an equitable gain which rewards his efforts. The Delegation of Turkey at Geneva had, in 1939, insisted that a careful and attentive study of this question be undertaken, and the Advisory Committee had decided to charge the Secretariat General to collaborate therein with the experts of the producing countries.
9. As a matter of fact it would be desirable to demand of all producers the standardization of their products. For Turkey it is an accomplished fact,
10. The proposition concerning a permit for the cultivator as well as the control to which he would be subjected and that concerning the exact annual statistics bearing on the surface cultivated and the quantity of opium produced are indeed justified. However, one must foresee that in the application of the control of the production one will run into certain difficulties, resulting from the fact that it is practically impossible to control or to verify the exact quantity of opium harvested on a definite ground. This quantity can, in effect, vary according to the atmospheric conditions, the rainfall in the cutting period, the moisture of the earth and other factors which are uncontrollable. Finally, there is the question of the expenses caused by the control organization. A system of limited control could be found, if in the prices fixed for the buying of opium the buyers would consent to include a certain margin for this organization, to add to the equitable gain provided for the cultivator.

11. The importation and the distribution of the narcotics extracted from opium are submitted, in Turkey, to a system of the state monopoly; thus the consumption and the employment of these drugs are, according to the regulations of a special law, controlled by the services of the Ministry of Hygiene and of Social Assistance.

12. The Turkish Government approves the proposition leading to the submission of the international trade in opium and other dangerous narcotics to a system of permits for importation and exportation; this system has been applied in Turkey since the putting into effect of the law on the State Monopoly.

13. The question presents two different aspects:

- (a) Prohibiting a country which becomes a party to the Convention of furnishing to consumer countries which have not adhered to it; and
- (b) Prohibiting consumer countries from buying from a producing country which has not adhered to the Convention.

In the first eventuality there is ground to question if the pronounced prohibition would not have as a result the furnishing to producers who have remained outside the convention an additional premium resulting from the fact that they would be without competition. The second eventuality, on the other hand, constitutes in the eyes of the Government of the Republic one of the essential points for the convention to conclude, which deserves the greatest attention.

14. No observation.

15. Prohibiting the manufacture, the importation, the exportation and the use of smoking opium, as well as the closing of the smoking opium monopolies accords entirely with the views of the Turkish authorities. This Ministry must, however, point out that some categories of raw opium are used for medical and scientific purposes, as well as for smoking opium. Such is the case for the finest qualities of Turkish opium which lend themselves equally to both sorts of use.

16. The Turkish Government would not know how to concur in the suggestion that a consumer country, in the eventuality that, for one cause or another, it could not obtain from the exporting country which had been designated to supply it the required quantity of opium, would be authorized itself to become a producer. By far the most simple solution in such cases would be that of dividing the supplying of the country in question among the other producing countries.

17. The absolute and complete independence of the Control Commission is, in fact, very desirable; it is a question, at this juncture, of searching for the proper means to assure this independence.

18. It seems that, to arrive at an accurate arrangement concerning the division among the contracting parties of the expenses of execution, as well as for the functioning of an effective control of the culture and production, the prices agreed to by the purchasers for the products, which will be furnished to them, will be of great importance.

The Government of the Republic would suggest, moreover, the introduction of the following points in the agenda of the proposed Conference:

(a) The preparation of statistics indicating the opium harvest of producing countries for the period between 1925 and 1932, inclusive, and the relation of these harvests to the world production.

(b) The preparation of statistics indicating the exports effected by the different producing countries for this same period as well as the relation of these figures to those of world exportation.

(c) Research, on the part of the consignee countries, into the purposes and the quantities of the exports.

(d) The preparation, for the importing countries, of statistics showing the quantities imported in this same period, and the purposes to which they were destined (consumption for the manufacture of narcotics or of medicines, consumption for smoking or for food) with an indication of the respective figures.

(e) Research into the relationship between increases and decreases of production and of consumption, as well as on the causes of these movements.

- (f) Organization, on the basis of the data thus obtained, of a just distribution of the portions of production and exportation due each of the producing states, so as to insure the suppression of all competition among the interested parties.
- (g) Co-ordination of the purchase price of opium of the producing countries with the current price of drugs which are made from it.
- (h) Compensation for losses undergone by the peasants due to the limitation of regions authorized to continue the cultivation of the poppy by a premium levied on the purchase price, serving to pay to the interested parties annual indemnities.
- (i) The arrival at a suitable formula to balance the interests of the states signatory to the Geneva Convention which, in application of the provisions relating to it, diminished their production, and of the states, not being in this position, which continued to produce without any restriction, permitted the use of opium in their territory and exported narcotics in the international market.
- (j) Adoption of decisions to safeguard the legitimate rights, at least until the putting into effect of a new Convention, the non-recognition of positions recently acquired, among others of the quality of producers in those countries which have not been producing for long, and the immediate prohibition of the straw method.

In conclusion, the Ministry of Foreign Affairs wishes to stress the following points which it considers to be of prime importance for the Turkish representation at the Conference which is to be held:

- (a) It is absolutely indispensable to proclaim the prohibition of the straw method (which consists of extracting the morphine directly from the poppy), and of all production in countries which, by practicing this method, acquired the status of producers after the conclusion of the Geneva Convention (1925).

(b) There is an urgent necessity, seeing the competition which the synthetic drug, isonipecaine (known also under the names of dolantin and demerol), makes and will be able to make in the future on a still more vast scale to raw opium, to assure the limitation, if not the complete prohibition of these drugs.

(c) The purpose desired by the limitation of the production being the struggle against the harmful use of opium and of its derivatives, the Conference will have to distinguish between the production of smoking opium and that of the poppy which, in certain regions of Turkey, is cultivated as a plant serving for the extraction of oil, which constitutes there, as a result of special conditions making impossible the breeding of cattle or the production of all other substitutes, an essential and indispensable element for nourishment and whose grains constitute one of the export materials of the country.

NOTES EXCHANGED WITH THE GOVERNMENT OF THE
UNION OF SOVIET SOCIALIST REPUBLICS

The American Embassy at Moscow sent the following note dated 18 September 1944 to the People's Commissariat for Foreign Affairs of the Union of Soviet Socialist Republics:

The Embassy of the United States of America presents its compliments to the People's Commissariat for Foreign Affairs of the Union of Soviet Socialist Republics and has the honour to transmit to the Government of the Union of Soviet Socialist Republics a copy of Public Law 400, Seventy-eighth Congress of the United States of America, approved on 1 July 1944, in regard to the limitation of the production of opium to medicinal and scientific requirements.

The United States Government, of course, is aware that the Soviet Government has always exercised strict control over the production of the opium poppy and has permitted opium to be produced for medicinal and scientific purposes only. It is desired, however, at this time to draw the attention of the Soviet Government to changes in the world narcotics situation which have recently taken place, and to express the hope that the Soviet Government will co-operate with the other nations of the world in the solution of the opium problem.

As the Soviet Government is aware, a number of measures have become effective during the last twenty years to combat the abuse of narcotic drugs. Among these may be mentioned the coming into force of the Narcotics Limitation Convention of 1931, the prohibition at the end of 1935 of the exportation of opium from India to the Far East and the enactment by the Chinese Government in 1941 of laws prohibiting the cultivation of the opium poppy, the smoking of opium and all traffic in opium and narcotics except for medicinal purposes.

The Governments of the United Kingdom and the Netherlands, after pursuing for many years a policy of gradual suppression of the use of smoking opium, announced on 10 November 1943 their decisions to prohibit the use of smoking opium in their Far Eastern territories when those territories are freed from Japanese occupation and not to re-establish their opium monopolies. Copies of these announcements, together with the statements made by spokesmen of the United States and Chinese Governments on 10 and 24 November 1943, respectively, commenting on those announcements, are attached hereto for convenience of reference. Following the surrender of Japan, the United States Government, in co-operation with other interested governments, will do everything possible to prevent Japan and the Japanese from spreading the use of narcotics for the satisfaction of addiction.

After the war, as a result of the decisions of the British and Netherlands Governments and the uncompromising attitude of the Chinese and United States Governments, there will be no legitimate market for smoking opium in a vast Far Eastern area. Consequently, in future, exports of opium will have to be limited to the demands of the world market for opium for medical and scientific requirements.

The United States Government concurs in the opinion of the British Government, as stated in its announcement of 10 November 1943, in regard to the prohibition of smoking opium in the Far East that "the success of the enforcement of prohibition will depend on the steps taken to limit and control the production of opium in other countries". In this connection the total requirements of the world for raw opium for the years 1933 to 1938, as computed from League of Nations documents O.C.1781, 27 August 1940 and O.C.1758, 15 April 1939 are reproduced below:

	For manufactured narcotic drugs	For prepared opium	Total Kilogrammes
1933	227,494	297,325	524,819
1934	245,201	348,503	593,704
1935	255,808	326,047	581,855
1936	323,114	345,949	668,063
1937	343,841	390,148	733,989
1938	312,832	374,248	687,080

During the period immediately after the war, it is estimated that the world market for opium for medicinal purposes will require about 400,000 kilogrammes of opium, whereas world production of raw opium for the year 1944 has been estimated by experts of this Government, in the absence of exact figures, as amounting to about 2,400,000 kilogrammes. There is also production in Central Europe of morphine direct from poppy straw totaling about 8,500 kilogrammes.

The United States Government believes that it is necessary to limit and control the cultivation of the opium poppy in order to suppress drug addiction and the illicit traffic, and is prepared to co-operate with all nations in efforts to solve the problem. It hopes that the Union of Soviet Socialist Republics and all opium producing countries will be willing to participate in a conference which is expected to be held after the war for the purpose of drafting a suitable poppy limitation convention.

In the hope of expediting and promoting agreement, the United States Government suggests that the proposed convention should contain provisions:

(Here follow the 18 provisions reproduced above, on pages 10, 11 and 12)

It is realized that it will be fruitless to convene a poppy limitation conference unless Iran is willing to participate therein. The Government of the United States is presenting to the Iranian Foreign Office at Teheran a memorandum strongly urging the Iranian Government to limit the production of opium to medicinal and scientific requirements and to co-operate in the work of

drafting a poppy limitation convention. That memorandum is along the lines of the copy which is attached hereto. If the Soviet Government could see its way clear to make appropriate representations to the Iranian Government, it is believed that the Iranian Government might give favourable consideration to the proposed programme. This suggestion is also being made to the British Government. The Soviet Government, without doubt, has a great interest in the narcotics situation in Iran owing to the presence in Iran of thousands of Soviet troops.

Pending the entering into effect of an international poppy limitation convention, the United States Government suggests that it would be helpful if the Soviet Government would give consideration to the advisability of making an announcement that its policy continues to be to prohibit the production and export of opium for other than strictly medicinal and scientific purposes, and that it will continue to take effective measures to prevent illicit production of opium in its territories and illicit traffic in opium from its territories.

The Government of the United States is now making a similar suggestion to each opium-producing country with which it has friendly relations. It believes that the adoption of such a policy by each of those countries would go far to ensure the success of the prohibition of the use of prepared opium in the Far East and to safeguard all countries against the possibility of an era of increased drug addiction similar to that which followed the first World War. It may also be pointed out that if most of the opium-producing countries were to make sacrifices for the common good by limiting production to an authorized proportion of the total quantity of

opium required by the world for medical and scientific purposes, and one country were to continue to produce and use large quantities of opium annually for its own non-medical purposes, such a reservoir would inevitably be drawn upon by illicit traffickers for their supplies.

It would be appreciated if the Soviet Government would inform the Government of the United States at an early date whether it is prepared to make the suggested announcement concerning the limitation of the production of opium to medicinal and scientific requirements. It would also be appreciated if the Soviet Government would communicate to the United States Government its observations in regard to the provisions which the United States Government has suggested be incorporated in the proposed poppy limitation convention.

NOTE DATED 2 NOVEMBER 1944 FROM THE PEOPLE'S COMMISSARIAT FOR FOREIGN AFFAIRS OF THE UNION OF SOVIET SOCIALIST REPUBLICS, REPLYING TO THE NOTE OF THE AMERICAN EMBASSY (TRANSLATION):

Acknowledging receipt of note no. 426 from the Embassy of the United States of America the People's Commissariat for Foreign Affairs of the Union of Soviet Socialist Republics has the honour to state that the Soviet Government values the efforts of the American Government directed toward the uprooting of the illegal traffic in opium and that opium has been produced and used only for medicinal and scientific purposes.

The question of the intended post-war conference and regarding the conditions which might be included in a convention for restricting the cultivation of the poppy in case it was decided to sign such a convention is at present being studied by the competent Soviet Authorities.

With reference to the declaration of the Soviet Government concerning the restriction of opium production to the quantity

which is dispensable for the satisfaction of medicinal and scientific needs the existence of a state monopoly both in the field of production and in the field of distribution renders the publication of such a declaration superfluous.

NOTES EXCHANGED WITH THE GOVERNMENT OF THE
UNITED KINGDOM

MEMORANDUM DATED 8 SEPTEMBER 1944 FROM THE AMERICAN EMBASSY AT
LONDON TO THE FOREIGN OFFICE OF THE GOVERNMENT OF THE
UNITED KINGDOM

There is transmitted to the British Government a copy of Public Law 400, Seventy-eighth Congress of the United States of America, approved 1 July 1944. In compliance therewith the Government of the United States urges the Government of Great Britain to give consideration to the advisability of taking such steps as may be necessary to assure that the production of opium in India and Burma be limited to the amount required for strictly medicinal and scientific purposes.

This resolution is an expression of the conviction of the people of the United States that drug addiction and the illicit traffic in narcotic drugs should be attacked at their source and that American citizens now serving abroad in countries where opium is produced and sold freely should be protected from the danger of acquiring the drug habit. It is generally recognized that production of opium over and above medicinal and scientific requirements is the principal cause of illicit traffic, of which the United States is one of the chief victims.

A long step forward towards the suppression of the abuse of opium was taken when the British Government on 10 November last announced that it had "decided to adopt the policy of total prohibition of opium smoking in the British and British-protected territories in the Far East which are now in enemy occupation and, in accordance with this policy, the prepared opium monopolies formerly in operation in these territories will not be re-established on their reoccupation." This Government concurs in the further statement contained in that announcement that "The success of the enforcement of prohibition will depend on the steps taken to limit and control the production of opium in other countries." In consonance with this statement, it would seem to be appropriate and

timely to exchange views concerning measures which may be taken to secure the co-operation of the interested governments in the solution of this problem.

As a result of the decision of the British and Netherland Governments to suppress smoking opium in the Far Eastern areas referred to above and the uncompromising attitude of the Chinese and United States Governments, the legitimate market for smoking opium in those areas, formerly amounting to about 350,000 kilogrammes annually, will no longer exist. Consequently, in future, exports of opium will have to be limited to the demands of the world market for medicinal and scientific requirements only. During the period immediately after the war, it is estimated that the world market for opium for medicinal purposes will require about 400,000 kilogrammes of opium, whereas world production of raw opium for the year 1944 has been estimated by experts of this Government, in the absence of exact figures, as amounting to about 2,400,000 kilogrammes. There is also production in Central Europe of morphine direct from poppy straw totaling about 8,500 kilogrammes.

The Government of the United States is urging all opium-producing countries with which it has friendly relations to take steps to limit production to medical and scientific requirements. It hopes that this action will clear the way for a conference for the purpose of drafting a suitable poppy limitation convention, preparations for which were undertaken several years ago by the Opium Advisory Committee.

In the hope of expediting and promoting agreement, the United States Government suggests that the proposed convention should contain provisions:
(Here follow the 18 provisions reproduced above, pages 10, 11 and 12)

This Government hopes that the British Government on its part will fulfil the intention expressed in its statement of 10 November 1943, referred to above, to "consult the governments of other countries concerned with a view to securing their effective co-operation in the solution of this problem." In this connection, it is realized that it will be fruitless to convene a poppy limitation conference unless Iran is willing to participate therein. The Government of the United States is presenting to the Iranian Foreign Office at Tehran a memorandum strongly urging the Iranian Government to limit the production of opium to medicinal and scientific requirements and to co-operate in the work of drafting a poppy limitation convention. That memorandum is along the lines of the copy which is attached hereto. If the British Government could see its way clear to make appropriate representations to the Iranian Government, it is believed that the Iranian Government might give favourable consideration to the proposed programme. This suggestion is also being made to the Soviet Government. It may also be pointed out that if most of the opium-producing countries were to make sacrifices for the common good by limiting production to an authorized proportion of the total quantity of opium required by the world for medical and scientific purposes, and one country were to continue to produce between 200 and 300 tons annually for its own non-medical use, such a reservoir would inevitably be drawn upon by illicit traffickers for their supplies.

Pending the entering into effect of an international poppy limitation convention, this Government suggests that it would be helpful if the British Government would give immediate consideration to the advisability of taking any steps necessary with a view to the announcement at the earliest possible moment that the Governments of India and Burma will hereafter prohibit the production and the export of opium for other than strictly medicinal and scientific purposes, and will take effective measures to prevent illicit production of opium in their territories and illicit traffic in opium from their territories.

The Government of the United States is urging each of the opium-producing countries with which it has friendly relations to make similar announcements believing that such action would go far to ensure the success of the prohibition of the use of prepared opium in the Far East and to safeguard all countries against the possibility of an era of increased drug addiction similar to that which followed the First World War.

Before it will be possible to resume international discussions in the Opium Advisory Committee or other body on the main principles to be included in a poppy control convention, a large amount of preparatory work remains to be done. This Government feels that much progress could and should be made during the present year, and accordingly ventures to suggest two problems the early solution of which would facilitate the preparatory work.

The first of these problems is the matter of exports of opium from India. The position of the Government of India was set forth in the following statement, dated 24 February 1939, which was circulated in League of Nations document No. O.C.1751 (e), 6 March 1939:

"Since the beginning of 1936, exports of opium from India had practically ceased except for shipments of opium for medical purposes to the United Kingdom and very small despatches of raw opium to a few other places, viz., French and Portuguese Settlements in India, Nepal, Zanzibar and Pemba. The exports to these latter places are allowed in accordance with a long standing practice and are subject to arrangements which confine the amount of such exports to the quantities approved by the Governments of those countries. Opium is also exported to Burma and Aden; before 1937, these territories formed an integral part of India and it has been decided to continue to allow them to draw their supplies of opium from India at cost price so long as they require them. It will thus be noticed that India is not an exporting country in any substantial sense."

It would be helpful if the British Government could furnish this and other interested governments with details in regard to its intended future policy concerning the export of opium from India to supply either medical or non-medical needs. Presumably it may wish to modify the position taken in 1939 and not authorize shipments for use in the manufacture of smoking opium, in view of the changes brought about by the war and its decision of 10 November 1943 to prohibit smoking opium in its Far Eastern territories.

The second problem relates to the Indian States. The position of the Government of India is also contained in the statement of 24 February 1939 referred to above, as follows:

"I am to add that the Government of India are not at present in a position to enter into any binding obligations on behalf of any part of India except British India. As will be seen from paragraphs 3 and 4 below, they have already secured a large measure of co-operation from the States in all work for opium control and have every reason to hope that they will have increasing success in this direction. This, however, is secured by persuasion and not by injunction, and it is therefore necessary to make a formal reservation on behalf of the States. The other parties need be the less concerned about such a formal declaration for the reasons that the Government of India control the only routes by which opium from the producing States can reach any country outside India and that, so far as India is concerned, it is the interest, as well as the duty, of the Governments of the British Indian Provinces and of those States which are most closely collaborating with the Government of India, to secure that smuggling of opium out of producing States is reduced to a minimum."

This policy had been previously applied. When signing the Convention for the Suppression of the Illicit Traffic in Dangerous Drugs dated 26 June 1936, the delegate for the Government of India declared,

"That India makes its acceptance of the Convention subject to the reservation that the said Convention does not apply to the Indian States or to the Shan States (which are part of British India)." In as much as the Indian States number about 570, contain over one-fifth of the whole population of India, produce annually about 185,000 kilogrammes of opium, and have licensed more than 8,000 shops for selling opium, it is felt that the Indian States should be represented directly or indirectly at any conference or meeting which may assemble to draft a poppy limitation convention. Otherwise, an important part of world opium production would escape control; and unless all opium production is brought under control the task of drafting a poppy limitation convention will be rendered impossible of accomplishment.

The Government of the United States believes that the British Government will agree that it would be of assistance at this time if the British Government would indicate whether it will be possible in future to have the Indian States represented at international conferences relating to opium or, if not, whether the British Government will be prepared to enter into binding obligations with other countries on behalf of those states.

With regard to the smuggling of opium out of the producing areas in India, the United States has an interest in the situation in India because recently it has been receiving opium in the illicit traffic from India as reported in this Government's reports for the years 1942 and 1943 on the traffic in opium and other dangerous drugs. Indian opium has also recently appeared in the illicit traffic in Canada. The existence of illicit traffic in opium in India is disclosed in League of Nations document No. O.C./A.R.1940/60, dated 25 September 1943, which is the annual report of the Government of India on opium and other dangerous drugs for the year 1940:

"Opium continued to be smuggled from the poppy producing areas of Kaya Khabal, Amb, Sher Garh, Phulra and Gandaf situated on the border of Hazara and Mardan Districts of the North-West Frontier Province, Afghanistan and Nepal. As in previous years there was a considerable amount of illicit traffic in opium from the unadministered territories along the North East Frontier of Assam and from the Punjab Hill States, the States of Rajputana and Central India, the States of Tipperah and Cooch Behar and from Hukong Valley."

The Government of the United States also has a particular interest at this time in the quantity of opium produced annually in India, which has fluctuated between 250,000 and 350,000 kilogrammes in the past few years, because of the presence in India of large numbers of American soldiers and American merchant seamen. As a means of protecting the health of those men this Government urges the British Government to give immediate consideration to the problem of surplus opium now existing in India.

It would be appreciated if the British Government would communicate to this Government its views with regard to the above matters, including its observations concerning the provisions which this Government has suggested be incorporated in the proposed poppy limitation convention. It would also be appreciated if the British Government would inform this Government at an early date whether it is prepared to make the suggested announcement concerning the limitation of the production of opium to medicinal and scientific requirements.

MEMORANDUM DATED 2 AUGUST 1945, REPLYING TO THE ABOVE MEMORANDUM
OF THE AMERICAN EMBASSY

1. His Majesty's Government have considered the copy of Public Law 400 and the accompanying memorandum (7352/6262/87) received from the Government of the United States on the subject of the limitation of opium production.
2. His Majesty's Government note the view of the United States Government that drug addiction and the illicit traffic in narcotic drugs should be

attacked at their source by the method of limiting opium production to medical and scientific requirements, and they are ready to give careful and sympathetic consideration to such further measures as may be practicable towards that end. In deciding to adopt the policy of total prohibition of opium smoking in the British and British Protected Territories in the Far East which are now in enemy occupation, and not to re-establish the prepared opium monopolies formerly in operation in those territories upon their reoccupation His Majesty's Government pointed out, in their declaration of 10 November 1943, that the success of this policy of prohibition would depend on the steps taken to limit and control the production of opium in other countries. For this reason, as well as on broad humanitarian grounds, it is the earnest desire of the British people to co-operate with other States in finding an effective and satisfactory solution of the problem.

3. Accordingly His Majesty's Government welcome the suggestion of the Government of the United States that a Conference should be held, under appropriate auspices, as soon as circumstances permit for the purpose of drafting a suitable opium limitation Convention, and they and the Government of India would be glad to participate in such a Conference.

As the State Department is aware, a great deal of preparatory work in connection with this question was carried out by the Opium Advisory Committee of the League of Nations immediately before the war, when agreement was reached as to the main principles upon which an opium limitation Convention should be based. On the request of the Advisory Committee draft Articles were prepared by the Secretariat of the League, but at this point the outbreak of hostilities made further progress impossible. The convenient course would therefore seem to be to resume the study of the problem from the point where it was interrupted by the war, and in particular to utilize the preparatory work already undertaken (with which a representative of the American Government was associated) as the basis for drafting the suggested new agreement, recognizing of

course that changes may have occurred in the interval which will need to be taken into account. His Majesty's Government would be glad to have the further observations of the United States Government in the light of the foregoing remarks, and in the meantime they would prefer to defer comment on the specific provisions suggested in the Memorandum for incorporation in the proposed Convention. They are, however, disposed to think, subject to the views of the United States Government, that it would be more convenient to leave the formulation of such provisions for discussion and settlement at the projected conference, bearing in mind that all the opium producing countries are closely concerned with the problem, as are also to a lesser degree the importing countries, and that further progress can only be made with the consent of all the interested parties. Pending the summoning of the conference His Majesty's Government and the Government of India will, so far as present circumstances permit, carefully examine the proposals of the United States Government and will set on foot the necessary enquiries.

4. The Government of the United States suggest that it would be helpful if the British Government could give immediate consideration to the advisability of making an announcement at the earliest possible moment that the Governments of India and Burma will hereafter prohibit the production and the export of opium for other than strictly medicinal and scientific purposes, and will take effective measures to prevent illicit production of opium in their territories and illicit traffic in opium from their territories. His Majesty's Government and the Government of India will continue, in the future as in the past, strictly to control the production and export of opium in accordance with their treaty obligations, but they regret that they are unable at the present time to make an announcement in the terms suggested. The reasons are as follows.

In India the position as to opium smoking varies somewhat in the different provinces and States but, broadly speaking, the sale of prepared

opium, the smoking of opium in company and the possession by smokers of more than a very small amount of prepared opium at any one time is everywhere forbidden. In some Provinces only registered addicts may possess prepared opium, while in some parts of British India and certain Indian States, opium smoking has been prohibited altogether.

By far the greatest part of the opium consumed in India is taken through the mouth by persons who in a great majority of cases take small doses as required and are not slaves to the habit. Raw opium for this purpose can only be bought in licensed Government shops and in strictly limited quantities. Opium indeed is widely used in India as the commonest and most treasured of the household remedies accessible to the people, being taken both for prophylactic and analgesic purposes and in order to avert or lessen fatigue. It must be remembered that in a country so vast and so poor as India the ministrations of qualified doctors or druggists are, to a large number of the population living in remote rural areas, not readily available. Consequently the non-medical use of opium in India as an indulgence to such small extent as it may exist, is so interwoven with the medical and quasimedical uses that it would not be administratively practicable to distinguish between them; nor, as the United States Government will appreciate, would it be practicable to undertake the general prohibition of a practice which is tolerated and even regarded as beneficial by public opinion. Centuries of inherited experience have taught the people of India discretion in the use of opium and its misuse is rare. In 1937 the average consumption of opium per head in British India for all purposes (including veterinary) was .6137 grammes. In the United States of America according to Table III in the latest medical analysis by the Advisory Committee of the League of Nations of the Annual Reports of Governments on the traffic in opium and other dangerous drugs a total of .6174 grammes of raw opium was used to prepare drugs for each member of the population in the same year; and it must be remembered that the morphine content of Indian opium is lower

than that of much other opium. The Government of India are engaged upon extensive plans for the increased provision and wider distribution of medical facilities in India after the war as part of their policy of reconstruction; meanwhile, until medical facilities are available for the population as a whole on a greatly increased scale it would not be practicable, wise or indeed humane to require that consumption of opium should be limited to purposes formally certified to be medical and scientific.

As regards Burma, it is the declared policy of the Government of Burma that opium consumption should eventually be suppressed and the Government's long-term measures are directed towards this end. But there are practical difficulties in the way of a full immediate implementation of that policy. The special considerations which arise from the prevalence of opium smuggling across the frontiers have recently been explained in a comprehensive statement sent to His Majesty's Ambassador at Washington for transmission to State Department on 5 April 1945. A copy of this statement is attached for convenient reference.

5. It is further suggested in the Memorandum that there are two problems, the early solution of which would facilitate the preparatory work which must be carried out before resuming discussions, one being the question of exports of opium from India, the other concerning the constitutional position of the Indian States.

The position as regards exports of opium from India is that prepared opium is no longer exported at all, but the Government of India still continues to export small quantities of raw opium to meet the needs of certain territories with which there is a close geographical or long-standing political link, namely, French and Portuguese Settlements in India, Nepal, Burma, Zanzibar (including Pemba) and Aden. These exports are made at the wish of, and are confined to the quantities approved by the Governments of the territories in question, and the Government of India are prepared to terminate the traffic immediately they are notified by these Governments that the opium is no longer required.

For certain of the above-mentioned territories, His Majesty's Government has no responsibility; of the remainder, Aden and Zanzibar may conveniently be mentioned first. In both places the system of licensed consumers is in operation, but the number of consumers is extremely small, viz; sixty-two in Aden and thirty-three in Zanzibar, and is decreasing in the natural course of events as the old addicts die off. Licenses are issued only to confirmed addicts after careful enquiry into their needs, and so far as practicable treatment is provided by the method of regulated issues on medical advice. The question has, however, been discussed further with the Aden and Zanzibar Governments and it has now been agreed that the few remaining addicts in these two territories should be treated as medical cases, the necessary medicinal preparations for them being obtained as for medical purposes. As soon, therefore, as the necessary alternative arrangements can be made, these governments will cease to obtain raw opium from India to meet the needs of these people.

In Burma, as explained in the attached paper, the short-term policy to be adopted following re-occupation of the country, may involve the sale of opium from Government shops for a time. This opium must be obtained from India. As soon as the Government of Burma is in a position to enforce its long-term policy of complete suppression of opium consumption by any means, the importation of Indian opium will cease.

As regards the second problem, the State Department will be aware from the statement of 4 February 1939, to which reference is made in their Memorandum under reply, that there is a constitutional difficulty about the formal participation of the Indian States in the existing opium conventions. The difficulty is, however, as explained in the statement, one largely of form, due to the fact that the Indian States are not British territory, although under suzerainty. But although the control over their internal affairs is thus in practice liable to considerable limitations, in fact the Indian States co-operate to a large and increasing extent with

the Government of India in their policy of opium control. States which produce opium for the Government of India are required to secure that cultivators deliver the whole of the produce to the State Governments. The Government of India purchase surplus opium in excess of States' own requirements and control the only routes by which opium from the producing states can reach any country outside India.

It would not be appropriate or practical for the Indian States, which number some hundreds and which have no international status, to be represented as such at future international conferences. Active consideration will, however, be given to the problem of associating experts drawn from the Indian States with the Indian delegations to future conferences on this subject.

The Government of the United States will see, therefore, that the two questions which they suggest should receive examination during the year are, from the practical point of view, of relatively minor importance and should present no obstacle to the conclusion of a future agreement. So far as His Majesty's Government and the Government of India are aware, seizures outside India of contraband opium originating in the Indian States, as also in British India, have for some years been infrequent and have remained so, notwithstanding the strain and difficulties under which the administrative machine has been working during the war. All possible measures will of course continue to be taken to suppress the export of contraband opium. The Government of India has recently addressed all Provincial Governments urging them to tighten up their control over the possession and distribution of opium and to overhaul their machinery for dealing with illicit traffic; they have instructed all Collectors of Customs both at the major and the minor ports to galvanize and where necessary expand their organizations for the prevention and detection of opium smuggling; and the necessity for exercising the strictest control over the sources of production within their respective territories is being

impressed on all Indian States.

6. It is stated further that the American people are anxious about the possibility of American troops acquiring the drug habit while stationed abroad in India and Burma. In this connection it should be made clear that prepared opium which is the form of the drug likely to produce addiction, is not permitted to be sold either in India or Burma. The sale of opium and other drugs to United States soldiers in cantonments, in which a substantial proportion of the United States troops in India are stationed, is forbidden under Section 56 of the Cantonments Act except with the specific permission of the Commanding Officer. In Bengal under the general conditions applicable to excise vend licenses the licensee is forbidden on pain of cancellation of the license to sell opium and other drugs to United States soldiers, whether or not in uniform. The Governments of other provinces where United States soldiers are stationed are being asked to consider, if need be, the possibility of strengthening provincial rules in a similar manner. Moreover, in Burma raw opium can only be bought by registered addicts; and the small supplies available for this purpose do not constitute any danger to American troops; since the addicts would seldom, if ever, have any surplus for disposal. There is no contraband trade in prepared opium in India, and any illicit traffic in raw opium for eating owing to strict control is small in volume; offenders are subject to heavy penalties.

In Burma, the contraband opium brought across the borders from China may in some circumstances constitute a risk; and as explained in the attached paper, the policy of the Burma administration which is directed towards the suppression of smuggling is the best safeguard against the danger of addiction. The considered view of His Majesty's Government is that, upon the whole, the risk of troops acquiring the opium habit through service in India or Burma is very slight. It may be pointed out that British troops stationed in India and Burma over a very long period of years, have never shown the slightest tendency to become drug addicts. Cases of this kind are almost unknown.

7. The American Government assert that it would be fruitless to convene a Poppy Limitation Conference unless Iran, which is one of the main producing countries, is willing to participate therein, and ask that the representations which have been made to that country by the Government of the United States in a parallel memorandum should be supported by the British Government. There is ample evidence that large quantities of opium are exported from Iran, mainly to China and the Far East, and there can be little doubt that a considerable proportion of this opium finds its way on to the illicit market. For the reasons stated above His Majesty's Government feel that the question of limiting the production of opium to medical and scientific requirements is one which is best left for discussion at the proposed Conference, but they fully agree that it is essential to bring exports of opium from Iran under the system of international control as soon as possible. The position in this respect is that Iran is a party only to the 1931 Convention, and it is considered, therefore, that Iran should be urged to accept the existing opium Conventions, including Article 3 (a) of the International Opium Convention of 1912, and to ensure a proper control over exports. In the view of His Majesty's Government this is a preliminary step which the Government of Iran ought to be prepared to take at once, pending the summoning of a conference to draft a new Convention.

Accordingly the appropriate action is being taken to support the American representations in this sense and also to suggest to the Government of Iran the desirability of continuing to take part in future international discussions relating to opium.

UNITED STATES POLICY RELATING TO OPIUM

By George A. Morlock

House Joint Resolution 241, approved on 1 July 1944, requesting the President to urge upon the governments of those countries where the cultivation of poppy plants exists the necessity of immediately limiting the production of opium to the amount required for strictly medicinal and scientific purposes, focuses attention on the narcotics policies of the United States.

The interest of the United States in narcotics control increased considerably soon after our annexation of the Philippine Islands in 1898, where a government monopoly for sales of opium to addicts, principally Chinese, for the satisfaction of their addiction, had been legalized prior to annexation. The Congress of the United States passed an act, approved 3 March 1905, providing "That after March first, nineteen hundred and eight, it shall be unlawful to import into the Philippine Islands opium, in whatever form, except by the Government, and for medicinal purposes only, and at no time shall it be lawful to sell opium to any native of the Philippine Islands except for medicinal purposes."

Recognizing that nations acting alone are unable adequately to protect themselves against the international illicit traffic in narcotic drugs, the United States decided to co-operate with other nations in the control of the legal trade in these dangerous drugs and in international efforts to suppress their abuse. It took the initiative in bringing about the first international conference on the subject, which was held in Shanghai in 1909, and later proposed the convening of the conference which resulted in the international opium convention signed at The Hague on 23 January 1912. The American Government took part in the conferences held at The Hague in 1912, in 1913, and in 1914; participated in the Second Geneva Drug Conference of 1924-25; and in the Narcotics Limitation Conference of 1931 held at Geneva; was represented by an observer at the Bangkok Conference of 1931 on Opium Smoking

in the Far East, and sent delegates to the Conference for the Suppression of the Illicit Traffic in Dangerous Drugs at Geneva in 1936. In those conferences representatives of the Government of the United States clearly stated that the policy of the United States was to limit the production of the poppy plant and manufacture of narcotic drugs strictly to medical and scientific requirements and to consider use for any other purpose as abuse. The Department of State, through its representatives at international conferences and at meetings of the Opium Advisory Committee at Geneva, has constantly carried on a vigorous campaign looking to the suppression of the illicit traffic in narcotic drugs and the abuse of those drugs.

The delegates for the United States withdrew from the Geneva Drug Conference of 1925 when it became apparent that the Conference would not restrict the production of opium and coca leaves to the medicinal and scientific requirements of the world. The withdrawal of the American delegation was based on a memorandum by the chairman of the American delegation, the Honourable Stephen G. Porter, addressed to the president of the Conference on 6 February 1925. As this memorandum outlines principles of policy to which the United States has consistently adhered, it is reproduced below in full:

"On October 18, 1923, the League of Nations extended an invitation to the powers signatory to The Hague Convention, including the United States, to participate in an international conference which was called for the purpose of giving effect to the following principles, subject to reservations made by certain nations regarding smoking opium.

"One. If the purpose of the Hague Opium Convention is to be achieved according to its spirit and true intent it must be recognized that the use of opium products for other than medical and scientific purpose is an abuse and not legitimate.

"Two. In order to prevent the abuse of these products it is necessary to exercise the control of the production of raw opium in such a manner that there will be no surplus available for non-medical and non-scientific purpose.

"The joint resolution adopted by the Congress of the United States on May 15, 1924, authorizing our participation in the present conference, quoted the principles referred to in the preamble and expressly stipulated that the representatives of the United States shall sign no agreement which does not fulfill the conditions necessary for the suppression of the narcotic drug traffic as set forth in the preamble.

"Despite more than two months of discussion and repeated adjournments it now clearly appears that the purpose for which the Conference was called cannot be accomplished. The reports of the various committees of the Conference plainly indicate that there is no likelihood under present conditions that the production of raw opium and coca leaves will be restricted to the medicinal and scientific needs of the world. In fact the nature of the reservations made show that no appreciable reduction in raw opium may be expected.

"It was hoped that if the nations in whose territories the use of smoking opium is temporarily permitted would, in pursuance of the obligation undertaken under Chapter Two of the Hague Convention, adopt measures restricting the importation of raw opium for the manufacture of smoking opium or would agree to suppress the traffic within a definite period, such action would materially reduce the market for raw opium and an extensive limitation of production would inevitably follow.

"Unfortunately, however, these nations with the exception of Japan are not prepared to reduce the consumption of smoking opium. Unless the producing nations agree to reduce production and prevent smuggling from their territories and then only in the event of an adequate guarantee being given that the obligations undertaken by the producing nations would be effectively and promptly fulfilled, no restriction of the production of raw opium under such conditions can be expected.

"In the matter of manufactured drugs and the control of transportation an improvement over the Hague Convention is noticeable. There is, however, no likelihood of obtaining a complete control of all opium and coca leaf derivative irrespective of the measure of control provided. For manufactured drugs it is

believed that by reason of the very small bulk, the ease of transportation with minimum risk of detection, and the large financial gains to be obtained from their illicit handling, such drugs and their derivatives can only be effectively controlled if the production of the raw opium and coca leaves from which they are obtained is strictly limited to medical and scientific purposes. This the Conference is unable to accomplish.

"In the circumstances the delegation of the United States in pursuance of instructions received from its Government has no alternative under terms of the joint resolution authorizing participation in the conference other than to withdraw, as it could not sign the agreement which it is proposed to conclude. We desire to make it clear that withdrawal from the present conference does not mean that the United States will cease its efforts through international co-operation for the suppression of the illicit traffic in opium and other dangerous drugs. The United States recognizes that the world-wide traffic in habit-forming drugs can be suppressed only by international co-operation but believes that for the present at least greater strides in the control of the traffic may be hoped for if it should continue to work towards this end upon the basis of the Hague Convention of 1912."

The narcotic drugs which are the subject of international co-operation are the principal habit-forming ones, namely, opium and its derivatives, the coca leaf and its derivatives, and Cannabis sativa and its derivatives. Opium is the coagulated juice obtained from the capsules of the soporific poppy (Papaver somniferum). The principal derivatives of opium are morphine, heroin, and codeine. The principal derivative of the coca leaf is cocaine. Cannabis sativa is Indian hemp, from which hashish, marihuana, and other dangerous drugs are made.

House Joint Resolution 241 relates to the opium problem only. There is more immediate need of solving the opium problem than of solving the coca-leaf and marihuana problems.

The results of the abusive use of opium and its derivatives are so destructive of health and so far-reaching socially and economically that

governmental control over them is generally recognized as an absolute necessity. As the International Labour Office in its report of 1936 entitled "Opium and Labour" has so well stated, "Opium smoking is injurious to the workers, impedes their social and economic development, impairs their health and decreases their efficiency and, when it is practiced continuously, shatters the health and increases the death rate of the smokers, and tends to reduce the rate of economic and social progress in the districts affected." The effects of addiction to morphine and heroin are much worse.

The principal cause of illicit traffic is surplus production. The United States has been making and continues to make every effort to persuade the poppy-producing countries of the world to reduce production. For this reason the United States has discouraged the planting of the opium poppy within its territories and possessions for the production of opium and opium products, although it could easily supply its entire requirements. Nevertheless, large-scale production continues in other parts of the world. At the present time annual production of raw opium has been estimated by Government experts, in the absence of exact figures, as follows:

<u>Country</u>	<u>Kilogrammes</u>
Afghanistan -----	50,000
Bulgaria -----	7,000
Burma -----	18,000
China (occupied and unoccupied) -----	1,000,000
Chosen -----	35,000
India -----	300,000
Iran -----	600,000
Japan -----	16,000
Thailand -----	400
Turkey -----	250,000
U.S.S.R. -----	75,000
Yugoslavia -----	55,000

The total estimated annual production amounts to 2,406,400 kilogrammes or 5,294,080 pounds. There is also extensive production in Central Europe of morphine directly from poppy straw amounting to about 6,500 kilogrammes. The actual needs of the world for manufactured narcotic drugs from 1933 to 1938 averaged 284,715 kilogrammes (626,373 pounds) annually. It is estimated after the war annual needs for medical purposes will not exceed 400,000 kilogrammes (880,000 pounds).

The Governments of the United Kingdom and the Netherlands, after pursuing for many years a policy of gradual suppression of the use of smoking opium, decided last year to make a change in policy in view of the new conditions which will prevail in their Far Eastern territories as a consequence of the Japanese occupation. On 10 November 1943 they announced that on regaining control of their Far Eastern territories they would suppress the smoking of opium and would not re-establish the opium monopolies.* This means that a market which averaged 347,036 kilogrammes of opium annually during the years 1933 to 1938 will disappear. It is obvious, therefore, that, if present world production continues at the rate of 2,400,000 kilogrammes a year, about 2,000,000 kilogrammes will remain for the satisfaction of drug addiction. The United States is anxious to prevent this surplus production, thus liberating several million souls throughout the world from the awful slavery of drug addiction.

There is immediate need for the opium-producing and consuming countries of the world to join in an international convention to limit and control the cultivation of the opium poppy and to suppress the illicit traffic in opium. The United States, as one of the principal victims, is deeply interested in and is prepared to co-operate with all nations in efforts to solve this problem.

A number of narcotics-control measures have become effective during the last thirty-five years and will facilitate the solution of the problem.

First, the Hague Opium Convention of 1912 is the cornerstone and basis of the entire system of international control. Among other things it makes certain provisions for the control of opium and other dangerous drugs and obligates the contracting parties to take measures for the gradual and effective suppression of the manufacture of, internal trade in, and use of prepared opium.

* Bulletin of the Department of State of 13 November 1943, p. 331.

Second, the Geneva Drug Convention of 1925 deals principally with the control of internal and international trade in opium and in the manufactured derivatives of opium, the coca leaf, and Cannabis sativa. The system established in the convention whereby export authorizations can be issued only against import certificates has resulted in much more effective control of the international movement of narcotic drugs. The convention also provided for the establishment of an international body, the Permanent Central Opium Board, to compile statistics, to watch over the course of international trade, and to give warning of excessive accumulations of narcotics in any country.

Third, the Narcotics Limitation Convention which was signed at Geneva on 13 July 1931 deals with the limitation of manufacture of narcotic drugs and controls the distribution of narcotic drugs. Limitation is brought about in the following manner: The parties to the convention undertake to furnish annually for examination by the Drug Supervisory Body, an organ established by this convention, estimates of their requirements for the ensuing year in respect of each of the drugs. This body consists of four persons, some of whom have had medical experience and some of whom have had administrative experience. The body has no power to revise an estimate without the consent of the government furnishing it but is empowered to ask for explanations. Every government has the right to submit supplementary estimates. Countries which are not parties to the convention are also invited to furnish estimates; if they do not, the supervisory body frames estimates for them. At the conclusion of its examination, the supervisory body issues for the guidance of all governments a statement containing the estimates as decided upon. These provisions as to estimates are the foundation on which the scheme of limitation is based.

In addition, mention should be made of the Opium Advisory Committee, an organ of the League of Nations, whose functions are limited to investigating and reporting on existing narcotic conditions and recommending the action to be taken by the League of Nations and by governments. The United States has never accepted the invitation which was extended to assume full membership

in this committee, but has co-operated with the committee through a representative who has attended its meetings in an expert and advisory capacity.

Other forces have been or are now operating to prevent the abuse of narcotic drugs. At the end of 1935 the exportation of opium from India to the Far East was forbidden. In 1941 the Chinese Government enacted laws prohibiting the cultivation of the opium poppy, the smoking of opium, and all traffic in opium and narcotics except for medical purposes. In connection with the present military effort to remove the Japanese forces from the territories which they now occupy in the Southwest Pacific and China it will be the policy of all American expeditionary forces, under American command, immediately upon the occupation of a part or the whole of any of these territories, to seize all narcotic drugs intended for other than medical and scientific purposes which they may discover and to close existing opium monopolies, opium shops and dens.

In view of the large world production of opium over and above medical needs, the United States has, whenever opportunity offered, discouraged production in this hemisphere, because new production in any areas, even if restricted and controlled, results in making an equal quantity in an old producing area available to non-medical use or to the illicit traffic. The experience of opium-producing countries is that, even with severe laws well enforced, it is extremely difficult to prevent the escape of a part of the production into the international illicit traffic and to check the spread of addiction and illegal use within the country. The history of narcotics in China, India, and Iran confirms this statement.

The United States regards the present time as propitious for the poppy-producing and narcotic-drugs-consuming countries to give serious consideration to the advisability of joining immediately after the war in a convention for the limitation and control of the cultivation of the opium poppy strictly to medicinal and scientific requirements.

LIMITATION OF THE PRODUCTION OF OPIUM

By George A. Morlock

The Secretary of State in a statement released to the press on 3 July 1944, announced that the Department of State, having received instructions from the President pursuant to House Joint Resolution 241 (Public Law 400, 78th Cong.), known as the Judd resolution, concerning the limitation of the production of opium throughout the world to medicinal and scientific requirements, would undertake to secure the co-operation of the opium-producing countries in the solution of this problem.* In compliance with that resolution the Department addressed instructions to its missions to the Afghan, British (for India and Burma), Chinese, Iranian, Mexican, Soviet, Turkish, and Yugoslav Governments, enclosing the texts of the resolution and of draft memoranda with the request that they be transmitted to those Governments in such manner as the missions might consider appropriate. These are the Governments of the principal opium-producing countries with which the United States has friendly relations. Other countries which authorize the production of opium in quantity are Bulgaria, Chosen, and Japan. Only small quantities of opium are produced in Indo-China and Thailand.

The draft memoranda were similar but not identical, since consideration had to be given to the peculiar conditions prevailing in each country. For instance, Afghanistan has produced opium both for internal consumption and for exportation for the manufacture of narcotic drugs; India's production, which has been gradually reduced since 1926, is used mostly for domestic consumption (smoking and eating); China has forbidden the production of opium, but production continues in the Japanese-occupied areas and in western Yunnan and southern Sikang; Iran has produced large quantities of opium for internal consumption (smoking and eating) and for exportation for use in the manufacture of prepared opium and the manufacture of drugs; Mexico, notwithstanding laws prohibiting the cultivation of the opium poppy, is obliged constantly to combat illicit cultivation; the Union of Soviet

* Bulletin of the Department of State of 9 July 1944, p. 47.

Socialist Republics limits production strictly to that for medicinal and scientific purposes; Turkey exports practically its entire production for the manufacture of drugs, but prior to 1941 part of Turkey's production was shipped to the Far East for use in the manufacture of prepared opium; Yugoslavia's entire production for many years has been devoted exclusively to the manufacture of opium alkaloids.

Opium poppies are being grown also in Argentina, Australia, Chile, Czechoslovakia, Denmark, Germany, Hungary, the Netherlands, and Poland for the direct extraction of morphine from poppy straw. In the countries where opium poppies are cultivated, poppy seeds and oil are valuable by-products and are important in commerce.

In nearly all opium producing countries the soil is prepared and the poppy is sown in September. Harvesting takes place in May and June by incising the poppy capsules with special small knives. The latex, which begins to flow as soon as the incision is made, gathers on the capsule and hardens. It is collected usually within 12 hours. The number of incisions made depends upon the size of the capsule. Between 20,000 and 100,000 capsules need to be cut in order to obtain one kilogramme of opium. The collection of opium involves much labour; the production of opium, therefore, is not economical in countries where labour is scarce and costly. In Turkey, for example, an experienced worker may collect from 200 to 300 grammes in a day. In other words, one person collects only one kilogramme in four days. One hectare (2 1/2 acres) in Yugoslavia will produce eight kilogrammes (17.6 lbs.), in Turkey, ten kilogrammes (22 lbs.), and in Iran eighteen kilogrammes (39.6 lbs.) in a normal season. In 1939 U. S. importers were paying \$7.10 a kilogramme for Turkish opium. That figure barely covered production costs, but in 1942 the price rose to \$18.70. As soon as the war is over, the great demand for drugs for military requirements will cease, and the present high prices will probably drop to the 1939 level.

It is imperative that the opium-producing countries give consideration

immediately to the opium-production problem in order that production may be limited to world medicinal and scientific needs and that prices may be maintained at a level that will insure a fair return. The present producers will wish to be protected from competition that may arise from new opium producers, from the producers of morphine from poppy straw, and from the manufacturers of the synthetic drug, isonipecaine (also known as dolantine and demerol), which is a substitute for morphine. No country can solve the problem alone. In order to limit and control the cultivation of the opium poppy and the production of raw opium and to control other raw materials for the manufacture of opium alkaloids, there is a need for international co-operation between the producing and consuming countries, for the exchange of views and suggestions, and for the drafting of an international convention to which every country in the world shall be a party. By such a procedure it is believed that the objectives of the Judd resolution can be fulfilled.

The United States is in a favourable position to use its good offices in an effort to bring about an international agreement on this subject. It has set an example for other opium-consuming countries to follow by enacting a law (Public Law 797, 77th Cong., 2nd Sess.) controlling the production and distribution of the opium poppy and its products. Narcotic Regulations 7, issued under this law, stipulates that the Commissioner of Narcotics "shall issue a license to produce the opium poppy only when, in his opinion, the medical and scientific needs of the United States for narcotic drugs cannot be met by the importation of crude opium." To date no production of opium poppies whatever has been licensed. The United States, to which a large illicit traffic is directed, regards opium as a dangerous product, over which restrictive control must be exercised for the common good not only of its own people but of the people of all countries. The United States Government is therefore suggesting that opium production be controlled by international agreement in order that there may be an adequate supply constantly available, with no surplus for the illicit traffic.

In the implementation of the Judd resolution the United States Government, in its notes to the governments of the opium-producing countries, states that it is prepared to co-operate with all nations in efforts to solve the opium problem and that it hopes that all opium-producing countries will be willing to participate in a conference which is expected to be held after the war for the purpose of drafting a suitable poppy-limitation convention, pending the entering into effect of an international poppy-limitation convention, our Government is suggesting to all the opium-producing countries, except China and Mexico, which have prohibited the cultivation of the opium poppy, that they give consideration to the advisability of announcing at the earliest possible moment that they will hereafter prohibit the production and export of opium for other than strictly medicinal and scientific requirements and that they will take effective measures to prevent illicit production of opium in their territories and illicit traffic in opium from their territories. Our Government is also asking the governments of the opium-producing countries for their observations in regard to certain provisions which this Government has suggested be incorporated in the proposed poppy-limitation convention.

The Judd resolution, which has received the full support of the people of the United States, will, it is hoped, attain the following results: That China's allies in the Far East will render China appropriate co-operation and assistance in enforcing the prohibition of opium-poppy production in all areas which will be liberated from Japanese occupation; that the countries at the present time producing opium will not increase production; that those countries which have not heretofore produced opium will not begin production; that the countries permitting the extraction of morphine from poppy straw will freeze production at present or lower levels; that all countries which have not yet done so will place the production and distribution of the synthetic drug isonipecaine under the control of their narcotic laws; and that in anticipation of the time when a poppy-limitation convention will enter into effect, those countries which have

legalized the production of opium for non-medicinal purposes will wish to consider the advisability of enacting laws at an early date prohibiting such production.