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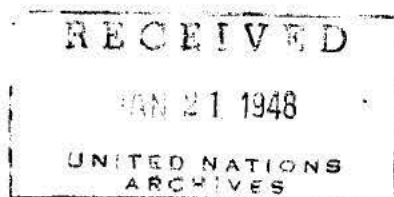
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COMMISSION ON NARCOTIC DRUGS

SUMMARY RECORDS OF THE SECOND SESSION

Held at Lake Success, New York from  
24 July to 8 August 1947



/LIST OF MEMBERS

# LIST OF MEMBERS

The Representatives of the Members of the Commission on  
Narcotic Drugs at the Second Session were as follows:

Colonel C.H.L. Sharman, C.M.G., C.B.E., I.S.O. ( <u>Chairman</u> ) . . .	<u>Canada</u>
Dr. Stanislaw Tubiasz ( <u>Vice-Chairman</u> ) . . . . .	<u>Poland</u>
Dr. Szeming Sze ( <u>Rapporteur</u> ); Dr. Chang-Yui Shu ( <u>Adviser</u> ); Dr. Hsiu Cha ( <u>Adviser</u> ) . . . . .	<u>China</u>
Dr. Mahmoud Labib . . . . .	<u>Egypt</u>
H.E.M. Gaston Bourgois . . . . .	<u>France</u>
Mr. A. N. Sattanathan; Mr. H. N. Tandon ( <u>Alternate representative</u> ) . . . . .	<u>India</u>
Mr. A. G. Ardalan; Mr. A. G. Panahy . . . . .	<u>Iran</u>
Dr. Secundino Ramos y Ramos . . . . .	<u>Mexico</u>
Mr. J. H. Delgorge; Mr. A. Kruysse ( <u>Alternate representative</u> ) .	<u>Netherlands</u>
Dr. Jorge A. Lazarte . . . . .	<u>Peru</u>
Dr. Cemal Kiper . . . . .	<u>Turkey</u>
Professor V. V. Zakusov; Mr. I. E. Kamenev ( <u>Alternate representative</u> ) . . . . .	<u>Union of Soviet Socialist Republics</u>
Major W. H. Coles, D.S.O. . . . .	<u>United Kingdom</u>
Mr. Harry J. Anslinger; Mr. George A. Morlock ( <u>Adviser</u> ); Mr. John W. Bulkley ( <u>Adviser</u> ) . . . . .	<u>United States of America</u>
Mr. Stane Krasovec . . . . .	<u>Yugoslavia</u>
<hr/>	
Mr. Leon Steinig. . . . .	<u>Director of the Division of Narcotic Drugs</u>
Mr. F. H. Logan . . . . .	<u>Assistant- Director of the Division of Narcotic Drugs</u>
Mr. Vladimir Pastuhov . . . . .	<u>Secretary of the Commission</u>



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FIRST MEETING

Held on Thursday, 24 July 1947, at 10.30 a.m.

Chairman: Colonel C. H. L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland), Mr. Sattanathan (India) who was replaced by Mr. Tandon, Dr. Lazarte (Peru) and Professor Zakusov (Union of Soviet Socialist Republics) who was replaced by Mr. Kamenev. Also present were Dr. A. Calderone (Interim Commission of the World Health Organization), Mr. Herbert L. May (President of the Permanent Central Board and member of the Supervisory Body) and Mr. J. Stanczyk (Acting Assistant Secretary-General).

Item 1 of the Provisional Agenda: Opening of the Session

The CHAIRMAN opened the second session of the Commission on Narcotic Drugs with the following speech:

"Fellow Members of the Commission on Narcotic Drugs:

"It is a pleasure to welcome you to this, the second session of our Commission. The date is somewhat earlier than had been hoped, bearing in mind that the Commission thought that its 1947 session would have to be held during the last week of August, or, if this date proved impracticable, about the middle of November. However, in a statement made by the President of the Economic and Social Council during the fourth session in March 1947, Sir Ramaswami Mudaliar, in explaining the considerations which have to be borne in mind in drawing up a planned programme of meetings, expressed the view that, while the wishes of Commissions would be taken into account, it is for the Council, acting through the Secretary-General, to decide the date and place of Commission meetings.

"Great difficulties were, in fact, encountered in co-ordinating the meetings of the Council and its ten Commissions for 1947 - a glance at the calendar will show the congested state of business - and although every effort was made, both by the Secretariat and by me, to secure a date during the latter part of August, this proved to be impossible. The choice was finally between 24 July or a date late in November. By that time it had become clear that there were strong reasons which made it desirable for the Commission to meet before the General Assembly, which, as you know, convenes on 16 September. Among these reasons was the consideration that certain important categories of work to be undertaken during 1948 were likely to involve additional expenditure of a substantial order, for which the approval of the Assembly would be necessary. Another  
/consideration

consideration was that a meeting of the Commission in November would make it impracticable to report to the Economic and Social Council in the following January under the six weeks' rule adopted by the Council. As you are aware, our meeting now coincides with the fifth session of the Council and this may have the advantage of enabling any urgent recommendations of the Commission to be referred to the Council without delay.

"I hope that the earlier date of the present Session has not caused undue inconvenience to any delegates. It has, of course, placed an added burden on the Narcotics Division, the members of which have had to service two sessions of the Commission within eight months. In spite of this, you will be glad to learn that the Commission's work has gone steadily forward and that insofar as this session is concerned, all the essential documents are in the hands of the members. This has entailed a tremendous amount of work on the part of the Narcotics Division of the Secretariat to whom I have, on your behalf, already extended my sincere appreciation.

"We shall be discussing the Progress Report shortly, but there are one or two matters which I should like to mention briefly at this point.

"As you are probably aware, I attended, in my capacity as Chairman, the meetings of the fourth session of the Economic and Social Council in March last, during which the Commission's Report on its first session was studied. I am glad to say that the Report was well received by the Council, and certain delegates were good enough to describe it as an excellent piece of work. All the resolutions and recommendations of the Commission were approved by the Council, which passed appropriate resolutions thereon. Since then the Secretariat has been taking the necessary action to implement the resolutions and decisions of the Council and the Commission, including the issuance of a considerable number of circular notes to Governments on a wide variety of subjects.

"One of these circular notes, regarding the submission of Annual Reports, was addressed to the Chairman of the Control Council for Germany, and the Commission will be glad to know, especially in view of the special anxiety regarding the narcotic situation in Germany, that a reply has been received from the Control Council stating that one Annual Report for Germany as a whole will be furnished. The Commission will also be interested, I am sure, to read the valuable report of the President of the Permanent Central Opium Board, regarding his recent mission to Germany, which report has been circulated, with his permission, for the confidential information of the members of this Commission. It is also to be noted that  
/an annual



an annual report for Japan has been received, through the United States Government, from the Supreme Commander for the Allied Powers. We shall be considering these documents in detail at a later stage.

"With regard to narcotic control in Japan, in relation to which the Commission had submitted two alternatives, A and B, while indicating a majority preference for B, the Council, after having carefully examined this delicate problem, adopted a resolution calling upon the Powers responsible for negotiating Peace Treaties with Japan to make provision for the most stringent control, in the period after the conclusion of the Treaties, of all transactions concerning narcotic drugs in that country. The Council emphasized also that to ensure effective operation, this control should be under the supervision of such Control Authorities as may be established by the Treaties and of the United Nations, whose expert bodies will be available to give such information and advice as may be requested.

"The Commission will observe that twenty-one countries are now parties to the Protocol of 11 December 1946, transferring the functions of League of Nations to the United Nations. Although sufficient countries to bring amendments to the international instruments on narcotics into force are not yet parties to the Protocol, further accessions or ratifications are to be expected in the near future. In the meantime, the Secretary-General is performing, in accordance with Article 2, all the duties formerly discharged by the Secretary-General of the League of Nations.

"An important development has been the request of the Government of Peru for an enquiry regarding the chewing of the coca leaf by the indigenous populations of the South American countries concerned. The Commission will, I am sure, wish to give this request the most careful and sympathetic consideration.

"I should also like to mention that a meeting of the Bureau of the Commission was held on June 23 last to consider various questions concerning the Agenda for this session. One of the main points discussed was a communication from the United States Government drawing attention to the extremely urgent problem of synthetic drugs, especially amidone, and I am confident that the Commission will endorse the Bureau's action in asking the Secretariat to accept the offer of that Government to send two of its well-known Public Health experts to attend our session and to make a statement on the subject. This is one of the most important problems before us at the present session, and I trust that we shall be able to find a solution which will enable these powerful new drugs, with their potentially dangerous consequences, to be brought under speedy control, both nationally and internationally.

/"We welcome

"We welcome to this session the following new members and alternates:

Dr. Mahmoud LABIB as the representative of EGYPT

Dr. Secundino RAMOS Y RAMOS as the representative of MEXICO

Dr. Cemal KIPER as the representative of TURKEY

Mr. Fuat EREN as the alternate representative of TURKEY

"We hope also to welcome at an early stage in our proceedings

Professor ZAKUSOV, the representative of the Union of Soviet Socialist Republics. He has unfortunately been prevented from attending our initial meetings and meanwhile we welcome the presence of Mr. KAMENEV as the Soviet Union representative. Mr. SATTANATHAN has been delayed in London and hopes to be here on Monday. In the meantime Mr. TANDON will represent India.

"I am confident that the presence of these gentlemen, who are all distinguished members of their professions, will be of the greatest benefit to our discussions.

"The second session of the Narcotics Commission is hereby declared open, and unless any delegate wishes first to bring up any matter which should properly be dealt with at this stage, we will proceed to the first order of business."

Mr. STANCZYK (Acting Assistant Secretary-General in charge of the Department of Social Affairs) welcomed the representatives on behalf of M. LAUGIER (Assistant Secretary-General in charge of the Department of Social Affairs), who was unable to attend on account of illness and who sent his sincere wishes for the success of the Commission. The CHAIRMAN asked Mr. Stanczyk to convey to M. Laugier on behalf of the Commission its sincere wishes for a speedy and complete recovery.

Item 2 of the Provisional Agenda: Election of the Chairman, Vice-Chairman and Rapporteur

Mr. ANSLINGER (United States of America) moved the re-election of the Bureau.

M. BOURGOIS (France) seconded the motion.

DECISION: The present Bureau, constituted as follows: Chairman, Colonel C. H. L. Sharman, C.M.G., C.B.E., I.S.O. (Canada), Vice-Chairman, Dr. Tubiasz (Poland, Rapporteur, Dr. Sze (China), was re-elected by acclamation.

Item 3 of the Provisional Agenda: Adoption of the Agenda. (Document E/CN.7/70)

The CHAIRMAN suggested that as far as possible the meetings should be confined to plenary sessions, and that the question of synthetic drugs should be considered at private meetings, commencing that afternoon. Meanwhile, he proposed to discuss Item 4 of the Provisional Agenda, the Progress Report.

/Mr. DELGORGE



Mr. DELGORGE (Netherlands) requested a short recess in order to arrange his documents, which he had only just received.

The meeting was suspended from 11.15 a.m. to 11.30 a.m.

Upon the suggestion of the CHAIRMAN, Dr. SZE (China) proposed the adoption of the agenda as a whole, and the Commission agreed.

Item 4 of the Agenda: Progress Report on the Work and Activities of the Division of Narcotic Drugs. (Document E/CN.7/82)

At the CHAIRMAN's suggestion the document was read to the Commission section by section.

The CHAIRMAN stated that the Commission would take up the question of the annual reports which had not been received and also discuss the procedure with respect to reports on seizures. Provision had also been made in the agenda to consider the suggestion of the President of the Economic and Social Council that the Commission should "report to the Council on the question of amending or deleting Article 19 of the 1925 Convention".

Dr. SZE (China) wondered if it had been pointed out to the Economic and Social Council that the rules of procedure adopted by the Commission at its first session were purely provisional. He considered it important that such rules should conform to the rules of procedure of the other Commissions of the Council.

Mr. STEINIG (Director of the Division of Narcotic Drugs) replied that in the covering note to a document prepared by the Secretariat for the fifth session of the Council concerning rules of procedure, mention had been made of the dates of the present session of the Commission on Narcotic Drugs, implying that the Commission would consider its rules with a view to bringing them into conformity with those of the other Commission.

The CHAIRMAN assured the Commission that the rules of procedure would be discussed at the present session.

DECISION: A motion to adopt the progress report, made by Mr. ANSLINGER (United States) and seconded by Major COLES (United Kingdom), was unanimously adopted.

The meeting rose at 12.30 p.m.

/SECOND MEETING

SECOND MEETING

Held on Thursday, 24 July 1947, at 2.30 p.m.

Chairman: Colonel C.H.L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland),  
Mr. Sattanathan (India) who was replaced by Mr. Tandon,  
Dr. Lazarte (Peru) and Professor Zakusov (Union of Soviet Socialist  
Republics) who was replaced by Mr. Kamenev. Also present were  
Dr. W. P. Forrest (Interim Commission of the World Health Organization),  
Dr. Nathan Eddy and Dr. Lyndon Small (United States Public Health  
Service) and Mr. Herbert L. May.

Item 15 of the Agenda: Study of Measures to be Taken With a View to  
Bringing Under International Control Narcotic Drugs Not Covered by  
the Conventions at Present in Force. (Document E/CN.7/80)

Note. - The Commission decided that the record of the statements  
of Dr. Eddy and Dr. Small and the ensuing discussion should  
not be included in this edition of the Minutes of the session.

(The Commission went into public session).

Dr. SZE (China) submitted the following motion:

"In the opinion of this Commission it is urgent to take immediate  
action to bring the manufacture and distribution of amidone and  
other synthetic drugs under international control."

This motion was seconded by the representative of the UNITED STATES.

DECISION: The motion of the representative of CHINA was adopted.

The CHAIRMAN stated that the first principle was now established and called  
upon the Director of the Division of Narcotic Drugs to explain what measures  
could be taken to make this control effective as soon as possible.

Mr. STEINIG (Director of the Division of Narcotic Drugs) pointed out  
that in accordance with the decisions made during the first session of the  
Commission and during the fourth session of the Economic and Social Council,  
the Secretariat had undertaken the study of the appropriate measures to bring  
under international control narcotic drugs not covered by Conventions at  
present in force. The results of this study had been submitted to the  
Commission in document E/CN.7/80.

He explained that although Article 10 of the 1925 Convention was  
satisfactory in substance and covered synthetic drugs, a decision made under

/this Article

this Article had the effect only of a recommendation; it was not binding on the Parties to the Convention unless they accepted the recommendation. Moreover, the 1925 Convention, aimed mainly at controlling the trade in narcotic drugs, did not directly limit their manufacture and distribution.

The 1931 Convention extended full control over the manufacture and distribution of narcotic drugs covered by Articles 1 and 11 (phenanthrene alkaloids of opium and ecgonine alkaloids of the coca leaf). He pointed out that Article 6 limited manufacture and Article 12 imports on the basis of estimates approved for each country and territory by the Supervisory Body. Any decisions taken in accordance with Article 11 of this Convention were immediately binding on the Contracting Parties.

The problems which would be encountered in amending Article 11 of the 1931 Convention would be numerous and difficult. Any amendment of Article 11 enlarging the scope of the Convention so as to include all new drugs liable to produce addiction, whatever their origin, would affect Article 11 in its present form. In addition, all other articles of the Convention where the term "drugs" was used, as defined in Article 1, and also articles which referred to drugs in Group I or Group II, would have to be examined carefully with a view to ascertaining whether and to what extent their present text might be affected by the amendment of Article 11. Another serious difficulty to be overcome would be the length of time required by procedure to amend the 1931 Convention as laid down in its Article 33.

In view of these difficulties, the Secretariat recommended the conclusion of a separate instrument. This new instrument should cover all narcotic and new drugs which could not be brought under the 1931 Convention but which were liable to produce addiction. It would come into force when ratified by twenty-five States, including any five of the eleven countries mentioned in the document; it would effect non-Parties to this instrument in the same way as the 1931 Convention. Serious difficulties would arise only if the manufacturing countries refused to become Parties to the new instrument. The former Conventions would still remain in force without amendment. As he saw matters, the best way to try to institute control over new drugs within eighteen months was by means of a new instrument. It was therefore urgent that the Commission should recommend a course of action to the Economic and Social Council at its present session.

The CHAIRMAN pointed out that the principle of bringing new synthetic drugs under international control had been agreed upon by the Commission which must now decide upon the most appropriate method.

/Dr. SZE (China)

Dr. SZE (China) reminded the Commission that both the representative of the United States and the Secretariat were agreed upon the necessity for a new instrument to bring synthetic drugs under international control.

Mr. ANSLINGER (United States) then read the following draft:

"Article 1 of the Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs is hereby amended by adding to Group I, Sub-Group (a), the following paragraph (v):

- (v) Any other drug, however produced, which shall be found by the World Health Organization to have an addiction-forming or addiction-sustaining liability similar to morphine or cocaine, as of the date such finding is communicated through the Secretary-General of the United Nations to the respective High Contracting Parties."

He moved that the Commission should adopt this text as a draft.

MAJOR COLES (United Kingdom) seconded the motion.

DECISION: The motion was adopted.

The meeting rose at 4.50 p.m.

THIRD MEETING

Held on Friday, 25 July 1947, at 10.30 a.m.

Chairman: Colonel C. H. L. Sharman, C.M.G., C.B.E., I.S.O. (Canada).

Present: All the members except Dr. Tubiasz (Poland), Mr. Sattanathan (India) who was replaced by Mr. Tandon, Dr. Lazarte (Peru) and Professor Zakusov (Union of Soviet Socialist Republics) who was replaced by Mr. Kameney. Also present were Dr. W. P. Forrest (Interim Commission of the World Health Organization) and Mr. Herbert L. May.

The CHAIRMAN read a cable from Dr. LAZARTE (Peru) regretting his inability to attend the session and suggesting that the chief representative of the Peruvian delegation name an alternate.

Continuation of the discussion on Item 15 of the Agenda: Study of Measures to be taken with a view to bringing under international control Narcotic Drugs not covered by the Conventions at present in force. (Document E/CN.7/80)

Mr. STEINIG (Director of the Division of Narcotic Drugs) explained that in view of the decision taken at the previous meeting, Part 2 of document E/CN.7/80, "Conclusion of a Separate International Instrument", would now come under consideration. If the draft articles contained therein were approved by the Commission, they could be submitted to the Economic and Social Council at its present session together with a draft resolution recommending that the Secretary-General be authorized to draft a protocol and transmit it as soon as possible to all Members of the United Nations and non-Member States Parties to the 1925 and 1931 Conventions for their observations. The Secretariat would, if necessary, re-draft the original text in the light of the observations made by governments, and submit it to the Commission at its third session together with the replies and observations of the governments. The Commission could then decide whether to bring the matter before the seventh session of the Council in the spring of 1948. If the observations of the governments were of such a nature as not to place great difficulties in the way of adopting this protocol, the Council could take the necessary decisions as to the procedure for its signature and ratification.

The CHAIRMAN added that while there would be a full discussion of this matter at the present time, a final decision on the approval of the protocol and its transmission to the Council would be left to the following week.

/Mr. STEINIG

Mr. STEINIG then read Part 2 of the document paragraph by paragraph.

In discussing clause (1) the CHAIRMAN wondered whether the word "narcotic" might not be omitted.

Mr. ANSLINGER (United States) agreed and pointed out that the word had been omitted intentionally from the 1931 Convention. Unless a specific definition was given, the Commission would find itself out of court.

Mr. STEINIG answered that the word "narcotic" had been used so as to obviate the possibility of any new drug falling under the Convention, even before proof was forthcoming that it induced addiction. If, however, the Commission was of the opinion that no real difficulty was likely to arise, the word "narcotic" could be omitted.

Major COLES (United Kingdom) considered it very undesirable to limit such a protocol to narcotic drugs unless a definition was given, but if the Commission did define narcotic drugs then it would be hamstringing itself.

The CHAIRMAN confirmed Mr. Anslinger's view and thought that opinion was unanimous that it would be a great mistake to use the word "narcotic".

Mr. ANSLINGER emphasized his point, indicating that the inclusion of the word "narcotic" would entail the inclusion of Indian hemp. The definition was so outmoded now as to be almost useless.

M. BOURGOIS (France) observed that the French medical authorities, whom he had consulted, favoured the word "stupefiant" rather than "narcotique". There did not appear to him to be in English a term exactly corresponding to the French word "stupefiant", and it would be preferable to use "stupefiant" wherever "narcotic" was used in English texts.

Mr. DELGORGE (Netherlands) stated that he preferred to leave in the word "narcotic", since it was included in the title of the 1931 Convention.

Mr. MAY (President of the Permanent Central Opium Board) suggested that the interpretation of the first paragraph of the Convention made it perfectly safe to omit the word, although the term "narcotic drugs" was mentioned in the Preamble. Chapter I, Article 1 referred only to "drugs".

Mr. ANSLINGER (United States) agreed and said that the experts taking part at the 1931 Convention had particularly desired to use only the word "drugs" in the actual text of the Convention.

Mr. DELGORGE (Netherlands), pointed out, however, that in the 1931 Convention the drugs were named separately, whereas it was not intended to do this in the new protocol.

Mr. ANSLINGER (United States) replied that drugs such as amidone and demerol could not be declared narcotic drugs unless legislation to that effect had been passed.

/DECISION:



DECISION: By 6 votes to 3, with 4 abstentions, it was agreed that the word "narcotic" should be deleted.

Clauses (ii) and (iii) were adopted unanimously.

Paragraph 1 was adopted unanimously.

Mr. KRASOVEC (Yugoslavia), speaking on paragraph 2, asked whether and to what extent the World Health Organization was entitled to be asked for an opinion under the existing Conventions.

In reply, Mr. STEINIG (Director of the Division of Narcotic Drugs) explained that the World Health Organization should be asked first if it was willing to assume new responsibilities under the Protocol. Under the Protocol transferring to the United Nations the powers exercised by the League of Nations under Narcotics Conventions, the Interim Commission of the World Health Organization was already functioning with respect to the 1925 and 1931 Conventions.

The CHAIRMAN added that the World Health Organization had already established a Narcotics Committee and it was safe to assume its intention to co-operate.

Mr. KRASOVEC (Yugoslavia) stated that he took due note of this explanation.

Paragraph 2 was adopted.

Paragraph 3:

Mr. DELGORGE (Netherlands) asked whether there was any special reason why the Commission on Narcotic Drugs should decide whether a drug should fall under Group I or Group II since Article 11 of the 1931 Convention conferred this duty on the World Health Organization.

Mr. STEINIG (Director of the Division of Narcotic Drugs) explained that under the 1931 Convention, such a decision was made by the Health Committee of the League of Nations after consulting with the Permanent Committee of the Office International d'Hygiène publique. The first decision was made by a body of the League of Nations, which then consulted with a body extraneous to the League, namely the Office International d'Hygiène publique. The United Nations did not possess a body equivalent to the Health Committee of the League, and the World Health Organization was an independent specialized agency. The 1931 Convention left the decision in this matter in the hands of the Health Committee of the League since matters of a legal and administrative character, as well as medical and scientific questions were entailed. In the United Nations it was the Commission on Narcotic Drugs which was the most appropriate body for this task, since as far as the application of Narcotics Conventions was concerned, it approximated most closely to the Health Committee of the League.

/Mr. DELGORGE

Mr. DELGORGE (Netherlands) said that it was true that decisions had been made formerly by the Health Committee; but this body was now replaced by World Health Organization. It would be difficult for the Commission to decide what drugs should be classified in Groups I or II. It seemed preferable to follow the procedure laid down in Article 11 of the 1931 Convention.

Dr. SZE (China) agreed with Mr. DELGORGE that it was desirable, if possible, to simplify the procedure by not referring the matter back to the Commission. He considered that the World Health Organization was a successor body to both the Health Committee and the Office International. The Commission was, therefore, legally on firm ground. He was attracted both to the procedure proposed by Mr. Delgorge and to Mr. Anslinger's text; otherwise it would be necessary to submit to a very lengthy process, since the Commission only met once a year. He would like a simple form of procedure, combining paragraphs 3 and 4, to the effect that should the World Health Organization find a drug to be, or to be liable to be, habit-forming, the Secretary-General would so notify the Contracting Parties, omitting reference back to the Commission.

Mr. ANSLINGER (United States) agreeing with the representative of China, added that he found the words "finding that the drug in question is liable to similar abuse as the drugs specified in Article 1, paragraph 2 of the 1931 Convention" a limitation. Under that definition cannabis and its derivatives together with the synthetic drugs of cannabis would not come under the new protocol; but this was essential since two new synthetics had been discovered capable of producing addiction. (Mescaline was also coming into the international picture). Referring to the text he had submitted during the afternoon of the previous day, he would even like to delete the words "similar to morphine or cocaine".

The CHAIRMAN, speaking as the delegate of Canada, agreed with Mr. DELGORGE, Dr. SZE and Mr. ANSLINGER. The question might be one of high administrative and commercial policy; should it be left for decision to a technical and medical body or to the Commission on Narcotic Drugs of the United Nations?

Mr. MAY thought that the decision might be left to the Commission; nevertheless, advice as to under which group a drug should fall should be solicited from the World Health Organization, since, in view of its technical knowledge and experience, it might be cognizant of the effects or habit-forming possibilities of a drug.

Dr. SZE (China) saw no great difficulty. The question was whether the decision was a scientific or administrative one. Under the 1931 Convention  
/it was left



it was left to the scientific bodies to decide whether a drug fell under Group I or II and he saw no reason for reversing that decision. In 1931 the scientific bodies in question were the Health Committee of the League and the Office international; today there was one scientific body, namely the World Health Organization. He admitted that unless anyone could point to a change of circumstances today, the Commission should follow the procedure already accepted.

Mr. STEINIG drew the attention of the Committee to paragraph 4 of Article 11 of the 1931 Convention. It would seem that the final decision did not lie with the Health Committee but with a special ad hoc body of three members of which one was appointed by the Government concerned, one by the Opium Advisory Committee and the third by the two members so appointed. The Commission now replaced the former Opium Advisory Committee of the League. This paragraph had been inserted precisely on account of the manifold administrative, legal and commercial aspects. It was now felt, however, that this procedure was too complicated and should be simplified as proposed in the Secretariat draft.

At the request of Mr. DELCORRE, Mr. STEINIG read paragraphs 3 and 4 of Article 11 of the Protocol of 11 December 1946.

The CHAIRMAN said that the 1931 Convention had been in operation for fifteen years and asked:

1. whether during that period there had been any disagreement between the Opium Advisory Committee and the scientific organizations respecting the decisions made; and
2. whether it had been found necessary to set up the board of arbitration provided for.

Mr. STEINIG replied in the negative to both questions.

Dr. SZE stated that there still remained the question of the convertible drugs. It was clearly the function of the World Health organization to determine the group under which each drug should fall, and in his opinion the procedure of paragraph 4, Article 11 of the Protocol should be followed.

In compliance with the wishes of the Commission, Mr. STEINIG proposed to re-draft the paragraph as follows:

"In the event of the World Health Organization finding that the drug in question is liable to similar abuse as the drugs specified in Article 1, paragraph 2 of the 1931 Convention, this Organization shall decide whether this drug shall fall ... etc."

The CHAIRMAN pointed out that in that case the last line of clause (b) of paragraph 3 would have to be deleted.

Dr. SZE said there would be a final drafting. He preferred to omit the phrase "liable to similar abuse as the drugs specified in Article 1,

paragraph 2 of the 1931 Convention", because it might limit the findings of the World Health Organization.

Mr. STEINIG explained that the draft in its present form was very wide and included all new drugs liable to produce addiction or convertible into such drugs. If another definition had been adopted, the new instrument would have had to include opium, medicinal opium, coca leaf, prepared opium and Indian hemp which were covered by the 1925 Convention; in addition, opium and coca leaves were the subject of a new instrument being prepared for the limitation of production of, and control of trade in, these materials. The synthetic drugs derived from Indian hemp would be included in the definition proposed by the Secretariat, but raw opium and other primary drugs would be excluded.

To Mr. ANSLINGER's statement that he had doubts as to the limitative effect of the definition, Mr. STEINIG replied that, if the Council so decided, the draft would be sent to all the governments concerned, and if further study revealed that the definition required re-wording and that any drugs which should be brought under the Convention had been excluded, the governments would have an opportunity of expressing their views before the final text was drafted.

The CHAIRMAN assured the Commission that the wording was purely provisional and that a new draft would be presented the following week.

DECISION: Paragraph 3 was adopted.

Paragraphs 4 and 5 were adopted.

Paragraph 6:

Dr. SZE enquired whether the sanction of the Economic and Social Council was required. It was urgent that protective measures should be taken at once.

After some discussion it was agreed that the paragraph should read:

"The Commission on Narcotic Drugs shall recommend that pending such procedure the regime applied to drugs in Group I of Article 1, paragraph 2 of the 1931 Convention should be applied immediately to the drug in question.

This recommendation shall be communicated without delay to the parties to this instrument."

DECISION: The above paragraph was adopted.

There was some discussion as to whether Prepared Opium should be omitted from paragraph 7, but it was finally decided to retain it.

DECISION: Paragraph 7 was adopted.

Mr. ANSLINGER enquired as to the purpose of paragraph 8, and Mr. STEINIG explained that a previous decision regarding a drug might have to be

/revised

revised in the light of further experience, and that such a clause had been found desirable in the 1931 Convention.

Major COLES proposed that the words "further experience warranting such a measure" should be deleted, since this phrase added nothing. Needless words were always dangerous in such instruments.

Mr. STEINIG said that it had been desired to prevent any light-hearted attempt at revision.

Mr. MAY suggested that the words of the 1931 Convention, i.e. "In the light of further experience", should be used instead, and it was agreed that paragraph 8 should read:

"Any findings and decisions referred to in paragraph 3 above may be revised in the light of further experience in accordance with the procedure outlined in paragraphs 1 to 5 above."

DECISION: Paragraph 8 was adopted as amended.

Paragraph 9:

Mr. ANSLINGER desired to know whether the countries named were the same as those in the 1931 Convention.

Mr. STEINIG replied in the negative and explained that conditions had changed. Since the 1931 Convention several other governments had authorized the manufacture of drugs, including Czechoslovakia, Poland and Yugoslavia. It had been considered desirable to include these countries; it also enhanced the possibility of speedy ratification.

Mr. KIPER (Turkey) enquired why Turkey, which was named in the 1931 Convention, had been omitted from the present list and added that Turkey might soon recommence manufacture.

The CHAIRMAN and Mr. ANSLINGER agreed that Turkey should be included in the list.

In reply to Dr. Kiper, Mr. STEINIG stated that all States mentioned in paragraph 9 were manufacturing countries, except China which, so far as his information went, was not now undertaking manufacture although it had formerly. At present Turkey produced raw opium only, whereas in 1931 she was still a manufacturing country.

Mr. KRASOVEC (Yugoslavia) referring to Dr. Kiper's request wondered whether all opium-producing countries, as, for instance, Iran, should be included.

The CHAIRMAN said that a greater number of names would increase the chances of ratification.

DECISION: "Turkey" was added after "Switzerland".

Item 8 of the Agenda: Dihydrocodaine (Paracodine)

Mr. STEINIG stated briefly that, in view of the decision of the Commission  
/in favour

in favour of a new instrument, a separate protocol for paracodine was unnecessary.

The CHAIRMAN agreed that Item 8 of the Agenda could therefore be dispensed with.

Mr. STEINIG pointed out that the final text of the new instrument would contain a number of additional formal clauses regarding ratification, registration of treaties, etc., customary in all such instruments. The amended text would be available for further discussion the following week.

The meeting rose at 12.45 p.m.

## FOURTH MEETING

Held on Friday, 23 July 1947, at 2.30 p.m.

Chairman: Colonel G. G. [Name], C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland), Mr. Sattanathan (India) who was replaced by Mr. Tandon, Dr. Lazarte (Peru) and Professor Zakusov (Union of Soviet Socialist Republics).  
Mr. Herbert L. May was also present.

The CHAIRMAN read a cable from Dr. Stanislaw Tubiasz (Vice-Chairman, Poland), regretting that he was unable to attend the session and wishing every success to the Commission.

Item 4 of the Agenda, Part B: Annual Reports. (Document E/CN.7/W.5)

Mr. STEINIG in a brief summary of the situation said that at its first session, the Commission had instructed the Secretariat to take steps to assist governments in re-establishing narcotics control. Circular letters had been sent out by the Secretary-General to governments with the exception of one letter which the Secretariat felt the Commission might wish to discuss further.

The present survey had been prepared by the Secretariat to facilitate the task of the Commission in examining the situation in respect of the fulfilment by governments of their obligation under Article 21 of the 1931 Convention to forward annual reports to the Secretary-General of the United Nations on the working of the Convention in their territories. This survey covered a period of fourteen years, 1932-1945, and was in two parts. The first part, 1932-1938, referred to the pre-war period and the second part, 1939-1945, to the war period.

The analysis showed that for the year 1945 the total number of annual reports received from countries was twenty-eight and the total from territories thirty-eight. This was less than one-half of the number received for 1937 (138) and slightly more than one-third of the possible total (180).

In the first part the document described the world situation as a whole and gave tables showing the record of 180 countries and territories for each year from 1932 to 1945. The second part of the document presented graphs for the world situation considering each continent separately.

The Commission might desire, after studying this document, to consider what steps should be taken to draw the attention of governments to the situation disclosed by the present survey and to urge governments to send reports to the Secretary-General in compliance with the obligation accepted by them.

/Situation in respect

Situation in Respect of all Countries and Territories

The CHAIRMAN felt that the implications of this document as well as the information it contained should be taken into account. In addition to the fact that it was a treaty obligation to send in annual reports, the Commission was unable in the absence of such reports to carry out its functions properly. He pointed out that countries represented on the Commission had an even greater responsibility and should urge their governments to fulfil their obligations in this respect.

The Secretary-General had already sent a circular letter to war-devastated countries which might have had difficulty in furnishing full reports, asking them to provide a single summary covering the war period.

Mr. KRASOVEC (Yugoslavia) reminded the Commission that although his country was not a Party to the 1931 Convention, it had fulfilled all the stipulations of this Convention until the war. About one month ago, he had been informed that the annual report for last year had been sent to the Secretariat, but he had learned that it had not yet been received. He observed that present mail conditions were very unsatisfactory and accounted for some delay. However, if the Commission so desired, he could give them some general figures on the situation in Yugoslavia.

Mr. DELGORGE (Netherlands) regretted that his country had been unable to furnish all the required reports. This was due to war conditions and the present shortage of staff and translators. Nevertheless, the summary for 1939-1945 and the annual report for 1946, were ready and would be transmitted as soon as they were translated.

The CHAIRMAN said that the great difficulties which the Netherlands had had to overcome were readily recognized, and recalled to the Commission the excellent past record of that country which had always been most punctilious in fulfilling its international obligations. He drew attention to the perfect record of the French Government.

Mr. ANSLINGER made a few general remarks on the information given in the tables. He noted that: Hungary, a manufacturing country, should send in reports; the Soviet Union had sent no reports since 1938; Bolivia, a coca leaf producing country had submitted only one report (1943); Peru, the greatest source of crude cocaine had submitted no reports at all and the only obtainable figures were unofficial; Colombia, neither a producing nor manufacturing country, had the best record for South America which, as a whole, had been negligent in sending reports; Siam, a manufacturer of opium alkaloids, had sent no reports since 1940; Iran had neglected to send reports for the last five years. On the other hand, the territories under the United Kingdom had a perfect record. In his opinion, the general picture was good.

/Mr. MAY



Mr. MAY (President of the Permanent Central Opium Board), in reply to a question by the Chairman, stated that the collection regarding the reports received by the Supervisory Body with respect to estimates and by the Permanent Central Opium Board with respect to statistics was considerably better than that of the annual reports.

The CHAIRMAN thought that the reason for their better record might have been due to the fact that the Governments would have been reluctant to lose contact with the Supervisory Body with approved drug estimates.

Mr. STEINIG pointed out that the Permanent Central Opium Board and the Supervisory Body, which had opened subsidiary offices in Washington in February 1941, had never ceased to function, whereas the Opium Advisory Committee of the League of Nations had not continued after its session in May 1940, and was not therefore in a position to remind governments of their duty to submit their reports. For this reason, the Commission might now wish to request governments to resume their obligations.

In reply to a statement by the representative of Mexico that the annual report for 1945 had been sent to the Permanent Central Opium Board at Washington, D.C., he explained that all annual reports should be sent to the Secretary-General of the United Nations.

Dr. RAMOS Y RAMOS (Mexico) said that he had already transmitted this information to the appropriate authorities in Mexico. He had a copy of the report in question and could make it available.

The CHAIRMAN, continuing the study of document E/CN.4/V.5, pointed out the perfect record of China and India and the almost perfect record of Egypt. He also remarked that although no reports had been received from Australia for 1942, 1943, and 1944, they had always been received from New Zealand.

Dr. LABIB (Egypt) said that the Egyptian report for 1943 had been communicated to the proper authorities; it must have been lost en route and he had a copy in his possession. He handed it to the Secretariat.

Mr. STEINIG, continuing, stated that the total number of reports receivable was 180 for 67 sovereign states and 113 territories. The highest number that had ever been received was for 1937, namely from forty-six countries and ninety-six territories. On the other hand, the lowest record was for 1943 when only twenty-four countries and thirty territories submitted reports. The sharpest decline occurred with regard to 1939 when the total fell to eighty-one as compared with 119 for 1938. The decrease continued until 1944 when a slight upward trend was noted. The difference between the highest and lowest figures showed the difficulties which would have to be overcome in re-establishing control to the pre-war level.

level. It was the duty of the Commission to advise the Economic and Social Council (on the basis of these reports) on the carrying out of the obligations of these Conventions by the various countries and territories which were Parties to them. The Commission might desire to instruct the Secretariat to send this document to all Parties to the 1925 and 1931 Conventions and to draw the attention of certain governments to the relevant passages in the report.

The CHAIRMAN pointed out that the report should be studied qualitatively as well as quantitatively. It was more significant that no report had been received from Macao than that Santa Lucia presented a perfect record.

Situation in Respect of Each Continent Separately

Europe: It was noted that Spain, although excluded from the Protocol, had furnished a report for 1945. The absence of a report from Portugal might be due to the interruption of the functions of the Opium Advisory Committee in 1940 as explained by Mr. Steinig.

North and Central America: No observations were offered.

South America: It was observed that no reports had been received from Peru.

Mr. STEINIG, in reply to a question by Dr. Sze (China), said that reports from South America were usually received in Spanish or Portuguese, and were translated into the working languages by the Secretariat.

Asia.

Mr. ARDALAN (Iran) explained that the annual report for his country would be sent very shortly. A bill to abolish opium cultivation was at present before the Iranian Parliament and, if approved by Parliament, would become a law. This measure entailed great sacrifices for his country and Iran would be obliged to ask the assistance of the Economic and Social Council and the Parties to the Convention in preventing illicit traffic into Iran.

Africa: No observations were offered.

Oceania: No observations were offered.

Mr. STEINIG informed the Commission that reports had been received from the following countries after 30 June, the date when they were due: Czechoslovakia, United States, China.

Mr. ANSLINGER (United States) moved that document E/CN.7/W.5 should be sent to each country citing their respective records.

Mr. STEINIG suggested that the proper procedure would be to transmit the document to each government with a covering letter referring to the pages concerning it. In addition, he reminded the Commission that its Report would be submitted to the Economic and Social Council; this document could be annexed to the Report and the decision of the Commission carried out after the Council had approved the Report.

/The CHAIRMAN



The CHAIRMAN asked if it was the wish of the Commission to despatch this document to the governments and to the Council as part of the Report with a recommendation to the Council that governments should be reminded of their treaty obligations, since the Commission was unable properly to function without this material.

DECISION: This suggestion was adopted.

Item 4 of the Agenda. Part C:

Notes Verbales Despatched to Implement Decisions Taken by the Commission During its First Session. (Documents E/CN.7/69, E/CN.7/71, E/CN.7/79)

Mr. STEINIG explained that these documents contained circular letters addressed to governments in accordance with decisions made at the first session of the Commission and by the Economic and Social Council during its fourth session.

Document E/CN.7/69 Annex A:

No comments were made.

Document E/CN.7/69 Annex B:

No comments were made.

Mr. STEINIG explained, in answer to questions regarding nominations to the Permanent Central Opium Board, that the Economic and Social Council would renew the Board at its sixth session in January 1948 if the amendments made to the 1925 Convention by the Protocol of 11 December 1946 came into force before 1948. Governments were free to submit nominations after 1 August 1947, but he could give no assurance of what action the Council would take in regard to nominations submitted after this date.

Document E/CN.7/69 Annex C:

No comments were made.

Document E/CN.7/69 Annex D:

Mr. ANSLINGER (United States) asked if it would be possible to send out the letter recommending stringent narcotic control in Japan before the convening of the Conference to conclude the peace treaties.

Mr. STEINIG replied that the letter was ready in substance and the question would be discussed under Item 7 of the agenda. The transmission of the letter would become possible when the countries concerned had been invited to the peace conference.

The CHAIRMAN remarked that the minutes of the Economic and Social Council had a wide distribution, and, owing to the inclusion of the Resolution concerning "Control of Narcotics in Japan", governments should be already cognizant of this question.

/Document E/CN.7/69 Annex E:

Document E/CN.7/69 Annex E:

No comments were made.

DECISION: Document E/CN.7/69 was approved as a whole.

Document E/CN.7/71 Annex A:

No comments were made.

Document E/CN.7/71 Annex B:

No comments were made.

Document E/CN.7/71 Annex C:

No comments were made.

Document E/CN.7/71 Annex D:

No comments were made.

Document E/CN.7/71 Annex E:

Major COLES (United Kingdom) expressed surprise that the information that his government had accepted the application of Article 10 of the 1925 Convention to demerol (pethidine) as amended by the Protocol of 11 December 1946 had not reached the Secretariat, since legislation to this effect was already in force in the United Kingdom.

Document E/CN.7/71 Annex F:

Mr. STEINIG in reply to a question by the representative of Iran explained that only certain countries were under obligation to send the information requested to the Permanent Central Opium Board and the Supervisory Body.

DECISION: Document E/CN.7/71 was approved as a whole.

Document E/CN.7/79

No comments were made.

DECISION: Document E/CN.7/79 was approved as a whole.

The meeting rose at 4.50 p.m.

FIFTH MEETING

Held on Monday, 28 July 1947, at 10.30 a.m.

Chairman: Colonel C. H. L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland), Mr. Sattanathan (India) who was replaced by Mr. Tandon, Dr. Lazarte (Peru) and Professor Zakusov (Union of Soviet Socialist Republics).  
Mr. Herbert L. May was also present.

Item 9 of the Agenda: Laws and Regulations. Plan of Study to be Undertaken by the Secretariat. (Document E/CN.7/78)

Mr. LOGAN (Assistant Director) introduced this document with the explanation that the plan of study had been prepared by the Secretariat with a view to implementing the decision taken by the Commission at its first session. He added that certain specialized agencies such as the International Labour Organization, UNESCO and the Interim Commission of the World Health Organization were undertaking similar studies. It was estimated that two years would be required for the completion of the proposed digest of laws and regulations.

The CHAIRMAN enquired whether the digest would provide an easy means of reference for the use of the Commission, and suggested that it should be arranged by subject matter.

Mr. LOGAN replied that this would be one of the main purposes of the digest.

DECISION: Part II, "Geographic Scope of the Present Work" was approved without discussion.

Dr. SZE (China), with regard to section 2 of Part III, "Pharmacopoeias", drew the attention of the Commission to the recent action of the World Health Organization which had established a special committee for the preparation of an international pharmacopoeia.

Mr. LOGAN, in connection with section 3, "Constitutional Provisions", requested the Commission's approval of the work described in Sub-sections (a) and (b).

Major COLES (United Kingdom) suggested that this work might be deferred until more pressing matters had been attended to. He emphasized that the examination of constitutional provisions would entail serious difficulties.

Mr. ANSLINGER (United States) while agreeing with Major Coles' observations, felt that information gathered under sub-section (a) as to how far treaties were self-executing would be valuable, and that it should be obtained as soon as possible.

/The CHAIRMAN

The CHAIRMAN was certain that the Secretariat would be guided by the views that had just been expressed.

The CHAIRMAN further remarked, with respect to section 4, "Penal Provisions", that as far as Canada was concerned there would be no difficulty since according to the law of his country, the minimum penalty was \$200 fine and imprisonment for six months and no judge could inflict less.

Mr. LOGAN then pointed out that abuses resulted from the fact that the statutes of many countries provided for maximum but not minimum penalties.

Mr. STEINIG (Director of the Division of Narcotic Drugs) recalled that the Rapporteur had proposed at the first session that an international study should be prepared on this very question and observed that after careful study the conclusion had been reached that the completed digest would partially cover the request of the Rapporteur.

Dr. SZE (China) stated that his Government had requested him to raise this point again. The Chinese Government looked with considerable concern on the difference in sentence imposed in different countries for the identical offences. He emphasized the difficulty of taking measures against offenders who had received very light sentences which, in the opinion of his Government, encouraged rather than discouraged illicit traffic. Sentences for identical offences varied from three months to ten years. He hoped that some uniformity might be reached in this respect and welcomed the inclusion of penal provisions in the present study. He noted that in the view of the Secretariat this study would take two years to complete. He felt with Major Coles that some matters were more urgent than others and would like priority to be given to penal provisions and remedial measures.

Mr. ANSLINGER (United States) remarked that the suggestion made by the representative of China at the last session had attracted the interest of the International Bar Association. Mr. George Morris, former President of the American Bar Association, and other members of his Association would be glad to assist in this particular matter if an opportunity could be given for discussion with members of the Commission.

The CHAIRMAN agreed that such co-operation would be most useful. Uniformity in penalties was very essential. He mentioned that in a case involving illicit imports of opium at a certain European port, 77 out of 172 sentences on Chinese seamen amounted only to small fines ranging from 2/6 to 30 shillings, whereas in Canada at a recent trial for a similar offence, a seaman had been sentenced to seven years' imprisonment, a fine of \$200 and ten lashes. There was great room for improvement in co-ordination.

M. BOURGOIS (France) observed that the scope of the study would have to be broadened since narcotics constituted only a small part of the laws on poisonous substances. The efficacy of the laws on narcotic drugs depended on the  
/whole penal

whole penal system dealing with conspiracy, robbery, larceny and the like. An international offence entailed the laws and treaties in extradition, commissions rogatory, and prosecution in foreign countries. In France alone, apart from a thesis which included a chapter dealing with the suppression of illicit traffic, two volumes had been published covering French laws and regulations, one of which had been compiled by Raset. In conclusion he suggested that a small committee including members of the Secretariat, legal experts and representatives of the Commission with experience of penal law might be appointed to examine the Secretariat's plan of study.

The CHAIRMAN felt that since the Economic and Social Council had requested the Secretary-General to undertake this study, a special committee would be unnecessary.

Mr. STEINIG acknowledged the importance of M. Bourgois' remarks and hoped the study would eventually be broadened along the lines he proposed, which were essential if the work was to be complete. The Council resolution required, however, that the study should be made as expeditiously as possible. The 1936 Convention, now in force despite only thirteen ratifications, called on all Parties to communicate laws providing for severe penalties and consequently contained provisions concerning extradition; sub-section (j) on page 14 of the present document mentioned penal provisions and extradition measures.

Turning to section 5, "Court Decisions", the CHAIRMAN felt that a great deal of work would be involved, and that the Secretariat might derive its information in the first instance from a summary of court decisions. Two volumes were published yearly in Canada containing leading penal cases and each related two or three cases of offences in connection with narcotic drugs involving decisions on points of law. Summaries of these cases could be sent to the Secretariat.

Mr. LOCAN emphasized that only leading court decisions would be required by the Secretariat, i.e. only those of an international significance or those throwing light on legislation covering illicit traffic.

Mr. ANSLINGER (United States) remarked that decisions of the highest courts were corner-stones of jurisprudence and as such would be valuable in the digest.

Major COLES (United Kingdom) stated that of the two cases in the United Kingdom which had reached the High Court, only one had been of international importance.

The CHAIRMAN pointed out that there would be at least 100 cases in Canada involving interpretation of Canadian law on narcotics.

M. BOURGOIS drew the Commission's attention to a document published in 1932 entitled "Model Administrative Codes" and pointed out that a similar code might have to be published.

/The CHAIRMAN

The CHAIRMAN explained that in many cases the ordinary penal law relating to burglary, forgery and similar offences had to be invoked. Experience had shown that the important traffickers seldom handled the narcotics and for this reason they could be indicted only on non-narcotic charges, conspiracy being the most common. He recommended that countries should be requested to include data concerning the different types of normal laws under which convictions involving narcotics were obtained.

Mr. LOGAN said that the Secretariat would introduce this recommendation in the plan of study.

DECISION: Part III was then approved.

Under Part IV, "Execution of the Task to Prepare the Law Digest", Mr. LOGAN drew attention to a footnote which mentioned that 100 copies of laws and regulations no longer satisfied the requirements of governments. It had been found necessary to increase the number to 750 in English and 400 in French.

Mr. DELGORGHE (Netherlands) could not understand the need for so large a number. The obligations of Article 21 related to the original laws in the language of the country and therefore in his opinion not more than one copy was needed for each government.

In answer to a question by Major COLES, Mr. STEINIG replied that the Secretariat would prepare a statement as to the distribution of these documents.

M. BOURGOIS wondered whether administrative decrees and orders would also be required by the Secretariat.

Mr. STEINIG answered that in accordance with Article 21 of the 1931 Convention, governments should furnish all laws and regulations including decrees and orders.

DECISION: Sections 1 and 2 were approved without further discussion.

With regard to paragraph 2 of section 3, the CHAIRMAN suggested that the alternative approach of arranging the digest by subject matter, seemed to him the most satisfactory.

In reply to a question by the CHAIRMAN regarding paragraph 2 of sub-section (h), page 14, Mr. STEINIG explained that the words "Jurisdiction of courts, police and other authorities" referred to the sentencing of offenders and included the disposal of seized drugs.

The CHAIRMAN, in order to clarify the paragraph, suggested that the words "in relation to seizures" should be added.

Mr. KRASOVEC (Yugoslavia) proposed that a separate sub-section covering the disposal of seized drugs might be drafted.

Mr. STEINIG agreed.

The CHAIRMAN pointed out that under sub-section (j) advice on compiling  
/estimates

estimates fell under the Administrative Code of the League of Nations and not under "regulations", as stated in the plan of study.

Referring again to the disposal of seized drugs, Major COLES warned that the Commission might go beyond the limits of this plan of study and infringe upon the sphere of conventional obligations. For example in the United Kingdom there was no provision in the British law requiring the destruction of seized narcotic drugs but in practice all goods seized were destroyed.

The CHAIRMAN observed that the above information might show which countries fulfilled their obligations and by what methods. Major COLES' final remark would also apply to the sub-paragraph (j) where the word "regulations" might be replaced by the words "administrative instructions."

DECISION: The Commission approved the Chairman's suggestion.

Mr. LOGAN, in introducing the Annex, stated that in sending the questionnaire to governments a list of all laws and regulations known to the Secretariat would be included and the governments would be asked to amend or supplement this list.

Mr. STEINIG suggested that the question of the disposal of seized drugs should be added as a separate paragraph in the Annex.

Mr. DELGORGE (Netherlands) made the following statement:

"Let me start with paying a tribute to the Secretariat for the compilation of this excellent document which has involved a great amount of work and gives proof of great ability.

"The completion of the work proposed in this document will be a tremendous task and I fully agree that the assistance of the governments as invited in paragraph 2 of the resolution of the Economic and Social Council is indispensable.

"But the difficulty of the task, already mentioned by Mr. Bourgois, is proved also by the fact that this is at least the third time that the same assistance of the governments will be asked and we must not overlook the fact that the information which must be furnished by the governments will lay a lot of work on their shoulders, the more so as they will be requested to furnish the information not only in the language of the country but have it accompanied by an English or French translation.

"Having been myself an official in the relevant department at the time, I remember what a lot of work we had to do, apart from our daily tasks, when exactly the same information was asked a few years before the war. It is an unpleasant thought for the officials when they see now that all the time given for the furnishing of that information has been wasted and that they are asked now to do the work all over again.

/"I do not



"I do not overlook the fact that perhaps they may be able to retrieve in their archives some of the files then used, but we must remember that, especially in countries like mine which have been under enemy occupation for years, these archives are often far from complete.

"Therefore I would suggest that by way of some encouragement to the officials to whom we now make an appeal the circular letter would contain some kind of excuse and give some reasons for the fact that the same information which has been requested before must now be asked again and some kind of assurance that the information will be handled in such a way that some real result will be reached and that a further appeal will not be necessary.

"If it were possible to find the answers to the former questionnaire in the archives of the League of Nations and send them back to the governments for completion, that would undoubtedly be a great help for them."

The CHAIRMAN sympathized with the representative of the Netherlands, but pointed out that there had been many changes in the laws and regulations during the last eight or nine years, and it was desirable for the information to be brought up to date.

DECISION: The Commission approved the document E/CN.7/78.

Item 5 of the Agenda: Consideration of the Summaries of Annual Reports for 1942, 1943, 1944 and 1945.

Summary of Annual Reports for 1942. (Document C.90.M.90.1945.XI. (O.C.1813)).

The CHAIRMAN suggested that a more thorough examination should be given later to the Summaries for 1944 and 1945.

During the consideration of Chapter V of the 1942 Summary, Mr. ARDALAN (Iran) referred to a phrase appearing on page 15, reading as follows: "As a result of ineffective drug control in Iran". He explained that during the war there were large numbers of Allied forces on Iranian territory and large scale movements of supplies into the Union of Soviet Socialist Republics. His country felt that inspection of the convoys could not be enforced without delaying these vital supplies.

DECISION: Document C.90.M.90.1946.XI. (O.C.1813) was approved.

The meeting rose at 12.50 p.m.



SIXTH MEETING

Held on Monday, 28 July 1947, at 2.30 p.m.

Chairman: Colonel C.H.L. Sharmen, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tobiasz (Poland), Mr. Sattanathan (India) who was replaced by Mr. Tandon, Dr. Lazarte (Peru) and Professor Zakusov (Union of Soviet Socialist Republics).  
Mr. Herbert L. May was also present.

Continuation of the Discussion of Item 5 of the Agenda: Consideration of the Summaries of Annual Reports for 1942, 1943, 1944 and 1945.

Summary of Annual Reports for 1943. (Document C.92.M.92.1946.XI. (O.C.1814).)

The CHAIRMAN drew the attention of the Commission to certain points of interest in this document:

Page 6:

"(c) Decree of the Swedish Royal Office for medical affairs of 24 March 1943, concerning the application of certain stipulations to dolantin and its preparations."

Page 7:

The State of California, under a State law, had licenced a number of individuals to grow the opium poppy for seed production for use in bakery products.

Page 10:

The Commentary by Dr. Jules Bouquet, the French expert on marihuana, describing the besotted condition of inveterate hemp smokers.

Page 11:

A description of the distortion of space and lack of restraint or memory suffered by marihuana victims.

Page 14:

"The heroin available was generally so highly diluted in the United States as to be almost valueless for the maintenance of true addiction."

The conviction of the Eliopolous brothers, infamous international traffickers, was discussed by the Commission, and Major COLES (United Kingdom) said that Carlos Fernando Bacula, a famous drug trafficker, had appeared again in Germany.

Mr. ANSLINGER (United States) said that during the occupation of France the Germans had forced Bacula, the former diplomatic representative of a South American country, to serve his sentence in Paris.

The CHAIRMAN drew attention to the considerable seizures of marihuana in relation to Mexico, reported on page 17.

/DECISION:

DECISION: Document C.92.M.92 (O.C.1814) was approved.

Summary of Annual Reports for 1944. (Document E/CN.7/W.13)

Mr. LOGAN stated that documents E/CN.7/W.13 and E/CN.7/W.14 had been prepared in mimeograph form in order to present them at this time to the Commission. After approval they would be published in printed form.

The CHAIRMAN drew attention to page 35 describing the steady flow of illicit Iranian opium into the United States. India ranked next to Iran as a source of illicit supply.

In reply to Mr. ANSLINGER (United States), Mr. LOGAN said that the comments on page 42 had been taken into consideration in preparing the study on the coca leaf.

DECISION: Document E/CN.7/W.13 was approved.

Summary of Annual Reports for 1945. (Document E/CN.7/W.14)

The CHAIRMAN stated that this document gave the latest available information on the situation, as annual reports for 1946 were not available before 30 June 1947. He noted on page 5 that a new bill had been introduced into the United States House of Representatives. The bill provided that all shipments to the United States from any country where the sale of opium or narcotic drugs was permitted to consumers for non-medical purposes, should be marked conspicuously with the name of the exporting country.

Referring to page 21, he asked the representative of the United Kingdom if he thought that the Government stamp of the Indian State was counterfeit in the case of cakes of opium smuggled into the United Kingdom.

Major COLES (United Kingdom) replied that it was believed to be authentic.

The CHAIRMAN asked the Secretariat to check the footnote on page 22. A syrette manufactured in Canada contained only one-fourth grain of morphine. He drew attention to narcotic stimulation on race tracks and asked if any members of the Commission had encountered this problem outside America. The doping of race horses by non-narcotic substances was now an offence entailing the suspension of the owner and trainer.

Major COLES (United Kingdom) believed a case had occurred in Australia some years ago.

Mr. ANSLINGER (United States) said that Argentina had investigated these offences. This indicated that difficulties had been experienced.

The CHAIRMAN again drew attention to the damaging statement on page 24 on the introduction of Iranian opium into the United States and asked if there was a change in the trend of illicit smuggling from Iran for 1946.

Mr. ANSLINGER (United States) replied that there had been a decrease and that considerable quantities of opium originating in India had been seized.

The CHAIRMAN remarked that, as the price per pound on the illicit market of the North American continent was \$900 during the war and \$600 at  
/present,

present, in comparison with \$40 on the legitimate market, it was small wonder that the traffic flourished. He noted particularly the excellent co-operation which had been given by the Mexican authorities in suppressing illicit production. Tribute had been paid to them at the last session, and their continued efforts to prevent illicit production of raw material was appreciated by the Governments of the United States and Canada.

With reference to the statement on page 55 that smuggling of opium into Trinidad and Tobago took place mainly from Venezuela, the CHAIRMAN enquired if any seizure reports had been received from that country.

Major COLES (United Kingdom) stated that he had asked for further information from Trinidad and Tobago which had not yet been received. No seizure reports from Venezuela had been received by the Secretariat.

DECISION: Document E/CN.7/W.14 was approved.

Mr. DELGORGE (Netherlands) congratulated the Secretariat on the work which had been accomplished and read the following summary of the most important developments in the narcotics situation in his country during the years 1939-45 and 1946. Reports for those years, as he had already informed the Commission, were now being prepared.

"I. Two resolutions have become effective regulating the delivering of narcotic drugs by pharmacists and dispensing physicians. The prescriptions, according to which these drugs may be dispensed, have to contain the name of the patient and the way in which the narcotic drug shall be used. When the physician writes a prescription for himself it shall clearly state that the drugs are ordered for his private medical use or in the exercise of medical practice. Pharmacists and dispensing physicians have to keep a record of the names of the patients and the quantities of each of the drugs delivered to them, while the prescriptions have to be filed separately. Physicians not in the possession of a dispensary and prescribing for private medical use or medical application have to receive the narcotic drugs from a pharmacist or dispensing physician living in the same municipality. Ordering narcotic drugs all over the country to escape the attention of the inspectors is therefore impossible.

"Demerol has been brought under the provisions of the law on narcotic drugs.

"The relevant resolution which came into force during the German occupation has been declared lawful in virtue of a Royal decree.

"II. The office of the Central Opium Administration was burned down owing to war action. All records of the legal trade in opium and narcotic drugs were lost, but with the helpful assistance of the Secretary of the Permanent Central Opium Board the most important documents and data were reassembled soon after the war.

/"During

"During the first months after the German surrender considerable amounts of drugs, including narcotic drugs, were sent to the Netherlands by boat, plane, air-dropping and lorry. The authorities in the country were uninformed of these imports.

"Control was impossible due to the lack of or disorder in the means of transportation and communication. It is therefore generally accepted that an unknown amount of narcotic drugs has been transferred into illegal hands. "III. During the war the system of export authorizations and import certificates could be maintained. International traffic with countries not participating in the war was possible until their entry into the war. It was proposed by the German authorities of occupation to drop the system of international control between the Netherlands and Germany. Objections were made against these measures as the international Conventions do not allow for it. The proposal did not become effective.

"During the occupation a number of export authorizations and import certificates could not be sent back to the countries at war with Germany. Owing to the fire mentioned above all these documents were destroyed. No information can be given either about export authorizations not returned to the Netherlands.

"In 1946 export authorizations were asked on several occasions in favour of countries whose annual estimates did not allow for it. These authorizations have been refused.

"IV. The illicit traffic decreased in 1939 and 1940 as the normal ways along which opium and narcotic drugs were imported illegally could no longer be used. The traffickers however found other ways to provide themselves with the drugs which were stolen from army stocks and laboratories. The addicts used more and more the method of falsifying prescriptions or tried to persuade physicians to write them a prescription for troubles they did not suffer from. After the end of the war the number of falsified prescriptions diminished again, now thefts from military dumps and smuggling from Germany seem to have replaced the wartime methods.

"For 1946 the following is reported out of the list of investigations and seizures.

"The Rotterdam police seized 199 ampoules with morphine, 150 tablets of morphine, one bottle with ethylmorphine and two ampoules with penicillin. These drugs were offered for fl.3500 by a man, who had bought them from the Office for War Captures to deliver them to the Red Cross.

"At Roosendaal a woman was arrested by the Customs officers for being in possession of two ampoules of morphine bought from a young man at the Belgian frontier.

/"The police

"The police at Eindhoven arrested a woman transporting 215 ampoules with morphine of German origin. She had connections with a man in Sittard near the German frontier, who had bought the morphine from a man at Wehr in Germany in exchange for six kilogrammes of coffee. The price of the morphine should have been fl.5, pro ampoule. The exact origin of this morphine could not be discovered.

"Indications were received that a well-known trafficker at Ortmarsum near the German frontier is now smuggling cocaine from Germany. In December 1946 a house at Rotterdam inhabited by a Chinese was searched. Hidden under a floor a tin with prepared opium and thirty pounds of prepared opium were found. On the same day another Chinese house was searched, where twenty-eight packages with prepared opium were seized. Both men were sentenced to two months' imprisonment.

"As a raw material for only a short time, the poppy plant is cultivated all over the country for the seed and the oil therefrom.

"In 1943 it became necessary to start the extraction of morphine of poppy capsule chaff, as the lack of narcotics became dangerous and opium could no longer be imported.

"The whole poppy area is available for this purpose but only 400 hectares are sufficient for the annual need of morphine in the country. In 1944 the harvest of 400 hectares of the year 1943 had been used. In 1944 it was impossible to collect the harvest of capsule chaff due to the lack of transport and to the addition of Netherlands territory to the war theatre. The morphine content of 1000 kilogrammes capsule chaff is under the best conditions two kilogrammes. One hectare yields 500 kilogrammes capsule chaff and thus one kilogramme of morphine.

"X. Two factories are now licenced for the production of narcotic drugs. The third, Lewenstein, has been closed.

"X. The factories licenced for production of narcotic drugs are N.V. Nederlandsche Cocaine Fabriek, Heerengracht 553, Amsterdam for morphine, ethylmorphine, dihydromorphine, diacetylmorphine, methylmorphine, dihydrocodeine, acetyldihydrocodeinon, thelaine; and N.V. Nederlandsche Fabriek van Pharmaceuticals Chemische Producten, Floralaan nineteen, Apeldoorn, for crude cocaine, ecgonine, morphine, diacetylmorphine, methylmorphine, ethylmorphine, thelaine, dihydromorphinon, dihydrocodeinon, dihydrocyclohexanone, acetyl-dihydrocodeinon, cocaine, the combined opium alkaloids.

"The factory of M.J. Lewenstein, Oosterringdyk 10, Amsterdam, was closed at the beginning of the war. No objections have been made therefore to the extension of the licence of the factory at Apeldoorn for the products formerly made by Lewenstein. The last mentioned factory has not been reopened.

/"The scarcity



"The scarcity of codeine drew the attention to the by-product dimethylmorphine. It proved to be a very useful drug as a cough sedative. Dimethylmorphine or methylcodeine is still in use. It is not covered by the law on narcotic drugs."

M. BOURGOIS (France) gave the Commission some of the latest details on the situation in France. He said that narcotics control had been taken over by the Pharmacological Division of the Department of Public Health. Thus, a single office handled all stages of control, from manufacture to distribution to patients. There were very few drugs on the illicit market, and addicts tried to procure them by such means as falsification of prescriptions. This was being prevented by the use of vouchers with counterfoils, and by sending an inquiry committee to verify authorized signatures. Only one firm, Rhone-Poulenc, had a permit to manufacture synthetic drugs in France. Morphine was extracted directly from poppy heads. A renewed supply of narcotics was forbidden. Special legislation was being enacted for the manufacture of "dolasol" which was still in the experimental stage. This resumed briefly the principal points in the administration of narcotic control in France.

The CHAIRMAN thanked the representatives of the Netherlands and France for their valuable statements.

Revised Form of Annual Reports. (Document E/CN.7/W.9)

The CHAIRMAN said that this questionnaire had been prepared by the Secretariat in consultation with officers of the Bureau, after a study of the questionnaire established by the Opium Advisory Committee of the League of Nations. Modifications to the text formerly in use were underlined in the revised questionnaire. He asked if there was agreement on the addition of Item 5, the Manufacture and Trade in Diacetylmorphine.

Mr. DELGORGE (Netherlands) asked if the Permanent Central Opium Board could not forward this information to the Secretariat of the United Nations and thus avoid duplication.

Mr. LOGAN explained that there were two main reasons for the inclusion of the item. Firstly, it would be difficult to obtain this material from the Permanent Central Opium Board in time to present it to the Commission in the same year, and, secondly, the new item to be inserted in the questionnaire was in conformity with the instructions given by the Commission during its first session. The information called for in the questionnaire under Article 10 of the 1931 Convention was not identical with the statistical data which governments were bound to communicate to the Permanent Central Opium Board under the 1925 Convention.

Mr. DELGORGE (Netherlands) withdrew his objection in the light of these explanations.

/The CHAIRMAN



The CHAIRMAN felt that the method suggested in Item 5 would be the most rapid and convenient one and asked the Commission to approve it.

DECISION: Item 5 of document E/CN.7/W.9 was approved.

Major COLES (United Kingdom) asked the opinion of the Commission in a case where the "letter of request" which accompanied the import certificate was issued by the Embassy of the country instead of the government department at the capital.

The CHAIRMAN thought that it would not be justifiable to refuse such a request, although the government department at the capital was the most appropriate agency to issue the request.

Mr. DELGORGE (Netherlands) asked for the clarification of paragraph A of Item 12 on prepared opium, reading as follows:

"A. For countries which have adopted the policy of total prohibition of opium smoking in their territories:

Please state measures taken to this effect (laws, regulations, enforcement measures, etc.) and results of this policy, including details concerning the treatment of former addicts."

The CHAIRMAN thought that the intention was clear; it would, however, be preferable to redraft the paragraph so as to obviate any misunderstanding.

DECISION: The Chairman put the document as amended to the meeting and it was adopted.

The meeting rose at 4.45 p.m.

SEVENTH MEETING

Held on Tuesday, 29 July 1947, at 10.30 a.m.

Chairman: Colonel C.H.L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland), Mr. Sattanathan (India) who was replaced by Mr. Tandon, and Professor Zakusov (Union of Soviet Socialist Republics). Mr. Herbert L. May was also present.

Continuation of the discussion of Item 15 of the Agenda: Study of Measures to be taken with a view to bringing under international control Narcotic Drugs not covered by the Conventions at present in force. (Document E/CN.7/80/Rev.1).

Mr. STEINIG (Director of the Division of Narcotic Drugs) explained that in accordance with the decisions taken at the third meeting the Secretariat had drafted an amended document. He pointed out that the Secretariat had suggested that the word "shall" in paragraph 6 on page 7 of document E/CN.7/80 should be replaced by the word "may" (see paragraph 6 on page 5 of document E/CN.7/80/Rev.1).

DECISION: Part I and Section 1 of Part II of document E/CN.7/80/Rev.1 were approved.

The CHAIRMAN, speaking as the representative of Canada, said that the procedure outlined in paragraph 2, page 5 might be the cause of a potential delay of eleven months. A country reported that it possessed a drug which should be placed under control. It informed the Secretary-General and the Commission was notified. Then the Commission was to decide whether the matter should be reported to the World Health Organization. Notifications of requests for an investigation of a new drug should be handled as expeditiously as possible and the Secretary-General should transmit them immediately to the World Health Organization. It would be a mistake for the Commission to decide whether to submit a notification to the World Health Organization. The chances of the Commission refusing to transmit any notification to the World Health Organization were extremely remote; therefore he could not support the paragraph as it stood.

Mr. ANSLINGER (United States) thought that perhaps the paragraph might be amended in a positive sense: "The Commission on Narcotic Drugs shall transmit all pertinent information to the World Health Organization."

Mr. KRASOVEC (Yugoslavia) remarked that the legal aspect of this question was not clear to him. He agreed with the Chairman that all unnecessary delay should be avoided; he wondered whether the proposed amendment might not violate certain provisions of the Conventions. He differentiated between

/merely

merely informing the World Health Organization of the notifications and seeking an opinion regarding them; it was in respect of the latter function that he feared legal complications.

The CHAIRMAN recalled that the Commission had decided at its third meeting that the World Health Organization was the appropriate body to decide under which group any new drug should fall. If, for example, the Secretary-General received a request from a government in June and could do no more than put it on the agenda of the Commission on Narcotic Drugs, there would be a delay of eleven months. If, on the other hand, as a purely administrative act, he transmitted such request to the World Health Organization, that organization could start work immediately. It was the World Health Organization who made the investigation and until that was made, the Commission could not take any decision. It was not probable that the Commission would in any circumstances refuse this transmission.

Dr. SZE (China) agreed with the remarks of the representative of Canada, but shared the doubts of the representative of Yugoslavia as to the legal aspect of this problem. He asked the Secretariat whether there was a statutory obligation on the part of the Commission or the Economic and Social Council to decide whether a notification should be transmitted to the World Health Organization.

Mr. STEINIG replied that under existing Conventions, the Charter of the United Nations and the Resolution of the Economic and Social Council such a statutory obligation did not exist.

Mr. MAY (President of the Permanent Opium Central Board) agreed with the remarks of the representative of Canada. The essence of Article 11 of the 1931 Convention was to obtain a rapid decision. He thought, however, that a place in the procedure should be reserved for the Commission, and in this connection proposed: "The Commission on Narcotic Drugs may submit to the World Health Organization such observations as it may deem desirable." This was not really necessary because it could do so in any case if it thought fit; yet it was best to reserve a place for the Commission.

The CHAIRMAN declared that this amendment would be satisfactory but suggested that the desired result might be obtained more simply by adding to the last sentence of paragraph 1 the words "and to the World Health Organization".

Dr. SZE concurred with Mr. MAY's suggestion.

Mr. STEINIG restated the decision taken at the third meeting, pointing out that the Secretariat had endeavoured to adhere as closely as possible to the text and procedure of the 1931 Convention to which this instrument was supplementary, while simultaneously trying to simplify as much as possible the procedure outlined in Article 11. Careful perusal of the records of the

1931 Conference, particularly the discussions concerning Article 11, had led to the conclusion that it was the intention of the Conference to give a body of the League of Nations the first opportunity of examining a question of this nature. That the decisions to be taken were of a dual nature, medical and scientific on the one hand and technical and administrative on the other, was shown by the provision in paragraph 4 of Article 11 for the establishment under certain conditions of a special committee composed of experts in both categories. The Commission was the only body competent to decide on the technical and administrative aspects of this question. In submitting that Mr. Anselinger's amendment would meet the situation, Mr. Steinig suggested that the members of the Commission might be solicited by mail in regard to notifications in order to avoid undue delay and that the Secretariat would advise the members of the observations of the World Health Organization by letter. If such a provision were not inserted, the Commission might find itself unable to influence any decision that might be taken. Although many of the provisions of the 1931 Convention had been simplified in the proposed Protocol, the Commission should nevertheless be in a position to decide on the purely technical and administrative aspects of the matter.

Major COLFS (United Kingdom) agreed that there should be no delay and wanted the Commission to be clear as to its function in this matter. A government would communicate with the Secretary-General who would notify all the Parties, the Commission and the World Health Organization. At that point he felt some doubt. What would the World Health Organization do? Did it make a final decision in the grouping of a drug? If the World Health Organization were to make a final decision in regard to a notification, before the Commission had an opportunity to examine it, then the Commission would be presented with a "fait accompli".

The CHAIRMAN, speaking as representative of Canada, pointed out that the legal aspect had been thrashed out. There was no statutory obligation in relation to the procedure to be followed. The Commission had already decided that the World Health Organization would make the final grouping; the Commission had made this decision subsequent to Mr. Steinig's remarks at the third meeting. The technical aspects of the question were so complicated that the suggestion to communicate with members by mail was impracticable and would certainly cause delay. By the decision at the third meeting to entrust the grouping to the World Health Organization the Commission had divested itself of ninety-five percent of its authority in this connection and it was hardly worth a delay of eleven months to retain the final five per cent. He was not in favour of the present reading of the text.

Dr. SZE suggested that in view of the differences of opinion and of the many possible solutions it would be wise to postpone for twenty-four hours

/a final

a final decision on a matter containing so many imponderables. Furthermore, lower down on the same page the Commission was given certain functions.

Mr. DELGORGE (Netherlands) in drawing attention to Article 19 of the 1931 Convention mentioned that the names of certain drugs varied from country to country and other drugs had such complicated names as to be almost unintelligible, thus making the duties of customs officers unduly difficult. He suggested that the World Health Organization should be invited to standardize the names.

The CHAIRMAN remarked that this was an important point and one which, coming under the heading of "unification of nomenclature" would be brought to the attention of the World Health Organization by the Commission.

Mr. KRASOVEC (Yugoslavia) while acknowledging the urgency of this question which would have to be brought before the present session of the Economic and Social Council, wondered whether the final decisions could be postponed until the arrivals of one representative and one alternate representative on the Commission who were on their way.

Mr. STEINIG replied that the Secretariat had no information as to when the representative of the Union of Soviet Socialist Republics would arrive. It was expected that the representative of India would arrive on Monday or Tuesday. He added that as soon as the Commission had completed its present discussions the matter would be brought to the Economic and Social Council without delay, provided that the Commission reached a decision in time.

Dr. LABIB (Egypt) saw no reason for postponement. He supported the Chairman's suggestion to add the words "and to the World Health Organization" to paragraph 1 and to delete paragraph 2. In further reply to Mr. Delgorge, he added that the narcotic experts in Egypt had chosen the best known name and then added the chemical formula; each Customs station had a pharmacist capable of checking all incoming and outgoing drugs.

DECISION: By seven votes to three with three abstentions it was decided to postpone the discussion for twenty-four hours.

Item 11 of the Agenda: Coca Leaf: Request by the Government of Peru for a Field Survey. (Documents E/CN.7/67/Corr.1 and E/CN.7/77)

The CHAIRMAN said that when the Bureau of the Commission had met to consider the various matters on the Agenda, which included the request of the Government of Peru for an enquiry into the effects of the use of the coca leaf by the population in certain regions of South America, certain desirable angles had been explored, for instance, the broadening of the enquiry to include other countries where the coca leaf was grown or habitually chewed even if not grown. The type of commission of enquiry, the inclusion of experts in medicine and psychiatry and industrial hygiene must be considered.

/He mentioned



He mentioned that the investigation into opium smoking had received valuable assistance from the International Labour Organization. The chewing of the coca leaf vitally affected certain classes of labour; a person appointed by the International Labour Organization would be useful. The limitation of production would soon require an extensive enquiry prior to the calling of an international conference; this limitation would apply not only to opium but to the coca leaf. Such an enquiry as that requested by the government of Peru might afford an excellent opportunity to bring the knowledge of the Commission on the production of the coca leaf up to date.

He concluded by welcoming Dr. LAZARTE, the representative of Peru, and asked him whether he would care to make a statement on the subject.

Dr. LAZARTE, in a statement explaining his Government's reason for making the request, said that the habit of chewing coca leaves was a problem which concerned not only Peru but a number of other countries. There were many millions indulging in the habit, and the difficulty faced by the Government in attempting to cope with the situation was due in part to the fact that the issue as to the effects was highly controversial. There were medical works on the subject, but these studies were only the efforts of individuals. At no time had the Government of Peru been able to carry out an organized enquiry into the physiological and pathological effects of this habit or to ascertaining whether it was necessary to suppress it. The habit had endured for many centuries and the Indian population which indulged in this practice appeared to be healthy and prosperous, capable of very hard work with little nourishment. Many observers had remarked upon their agreeable disposition and healthy condition. The Peruvian Government was therefore faced with the dilemma whether to suppress the habit or not. The enquiry was economically impossible for one government as it involved the analysis and observation of one half of the population as compared with the other half. Of all the countries concerned, only Peru and Chile were members of the Economic and Social Council and he formally proposed that the other countries concerned, such as Bolivia, Colombia, Argentina, Ecuador, and Paraguay might be invited to attend the discussion of the Council. In addition to the medical side there was the social issue, since the chewers were mostly of the lower social classes and this was therefore a labour problem. Besides, addiction to substances which cause artificial stimulation was primarily a case for a psychiatric study.

He went on to say that if the Commission approved the request of his Government, all facilities necessary for carrying out the enquiry would be provided.

He then described the coca tree as growing wild in the mountains of

/Peru



Peru and Colombia; it was also cultivated in certain areas in order to extract alkaloids for medical and other purposes. The limitation of production, although helping to some extent, would not be a solution since the tree grew wild everywhere. The trees flourished at an altitude ranging from 1500 to 6000 feet. The leaves were dried out or else processed. The labourers and other members of the population were constantly in touch with the material during the process of manufacture and it would be impossible to prevent them from chewing the leaf. In chewing the coca they left a "quid" in the mouth and added alkaline substances, allowing the leaf to soak in the saliva. The juice was gradually swallowed and absorbed through the mucous membranes, causing a sensation of numbness in the mouth and insensibility of the stomach mucosa. Thus it warded off hunger. The absorption into the body stimulated the nervous system and the addict could sustain long hours of work without food. The result was a sensation of euphoria, happiness and good humour. If continued over a period of years, this habit gradually led to poor nutrition, a decline in health, and premature old age; the population might thus eliminate itself through this habit.

M. BOURGOIS (France) asked whether the Secretariat had any bibliography on the coca leaf. There were only two books he knew of in France, one a summary and the other published by Payot which dealt mainly with cocaine clinical cases and contained only two chapters on the coca leaf.

The CHAIRMAN suggested that the Secretariat should prepare and distribute a list of books and articles dealing with the subject.

Mr. STEINIG then outlined the procedure to be followed in setting up the commission of enquiry. The collaboration of the countries concerned was most desirable. Article 69 of the Charter provided that the "Council shall invite any Member of the United Nations to participate, without vote, in its deliberations on any matter of particular concern to that Member." If the Commission thought fit that this matter should be placed on the present agenda of the Council the Secretariat would make every effort to have this done despite the many difficulties. The Council's agenda was a very heavy one and there was also the rule of six weeks for the presentation of reports. The representative of Peru on the Council might, however, submit to it an appropriate proposal. If the Council agreed to consider the matter immediately, it would require advice and recommendations from the Commission; in addition, under an Assembly resolution the Secretary-General would have to lay before the Council a summary statement of the estimates of the expenditure involved in case the Council decided to set up such a commission of enquiry. The Secretariat would prepare the estimate but it would be difficult to give precise figures concerning the number of members on the

/commission,

commission, the countries to be visited, the duration of the enquiry, and such matters. The Government of Peru suggested that the field survey should be done jointly with the World Health Organization. Document E/CN.7/77 suggested that at a certain juncture of the procedure, the World Health Organization should be requested to submit a list of experts who would be capable and willing to serve on such a commission. The list would be submitted to the Council for their selection. After a preliminary study of the request of the Peruvian Government, it had occurred to the Secretariat that if the impartial character of the enquiry was to be maintained, it would be very difficult, if at all possible, to include nationals of the countries where the enquiry was to take place.

He recalled that the Chairman had suggested broadening the scope of the study by combining the enquiry into the effects of the chewing of the coca leaf with the enquiry into the possibilities of limiting the production and controlling the distribution of coca leaves. Such an inquiry would greatly further the preparatory work of the conference on the limitation of raw materials. The conference would have an authoritative report dealing with two aspects of a difficult problem. In this case, however, the character and composition of the commission would be changed; not only would there have to be a number of medical experts but also specialists with practical experience in the international control of narcotic drugs. After the League of Nations enquiry into the habit of opium smoking in the Far East in 1931, the International Labour Organization prepared and published in 1935 a report on the effects of opium smoking on the working population of the Far East. As mentioned by the representative of Peru, the habit of chewing coca leaves affected in the main the working population of certain Latin-American countries and perhaps the Commission should consider inviting the International Labour Organization to participate in this enquiry.

As to the time-table, in order to assist the Council in appointing medical experts as members of the commission of enquiry, the Secretariat would have to request the World Health Organization to submit names of experts. This list could be submitted to the Economic and Social Council in January 1948. Mr. Steinig pointed out that the Commission of enquiry would be a commission of the United Nations, and would, therefore, have to report to the Economic and Social Council.

If the Council appointed the commission, the countries concerned should be invited to give all possible assistance to the commission, such as setting up national committees of experts who would provide the required information, guide the commission on its tour of investigation within the country, and perform similar services.

If all went according to plan, the commission might start from the headquarters some time in 1948.

The meeting rose at 1.00 p.m.

EIGHTH MEETING

Held on Tuesday, 29 July 1947, at 2:30 p.m.

Chairman: Colonel C.H.L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland), Mr. Sattanathan (India) who was replaced by Mr. Tandon, and Professor Zakusov (Union of Soviet Socialist Republics). Mr. Herbert L. May was also present.

Continuation of the discussion of Item 11 of the Agenda: Coca Leaf: Request by the Government of Peru for a Field Survey. (Documents E/CN.7/67/Corr.1 and E/CN.7/77).

The CHAIRMAN, in pursuance of the suggestion that the scope of the inquiry might be extended, proposed a general discussion on the recommendations that the Commission might wish to make to the Economic and Social Council.

The principle of setting up a commission of enquiry lay before the Commission for its approval.

Dr. LABIB (Egypt) asked the representative of Peru if he could give an estimate of the amount (by weight) of coca leaf chewed in his country. It was known that one gramme of cocaine could be extracted from one kilogramme of coca leaf.

Dr. LAZARTE (Peru) replied that there was no accurate information available, since it was impossible to estimate the amount chewed by any group of persons. This point had not been investigated. From 300 to 400 grammes of coca leaf could be chewed by one person in a day.

Mr. ARDALAN (Iran) remarked that if the number of persons addicted to the chewing of coca leaves was known, it would be a simple matter to calculate the total quantity chewed.

Dr. LAZARTE (Peru) replied that one of the reasons for which the United Nations had been asked to help Peru was to answer such questions. In areas inhabited mainly by Indians, about fifty per cent of the population were now addicted to this habit.

Mr. DELGORGE (Netherlands) said that he could not recognize the need for a commission of enquiry. An investigation might first be carried out with the help of available documents; he would not oppose the establishment of the commission of enquiry if the majority approved it.

Mr. ANSLINGER (United States) said that he could give fairly accurate figures on coca leaf consumption in Peru. In 1945, a domestic consumption tax had been paid on 7,950,000 kilogrammes of coca leaf, which corresponded to an approximate figure of 7,300,000 kilogrammes for the annual consumption by chewing.

/Mr. KRASOVEC (Yugoslavia)

Mr. KRASOVEC (Yugoslavia) said that he understood the commission of enquiry would have a wide scope, and he felt all six countries must be agreed on its establishment. After the speech of the representative of Peru he felt that the request of Peru could be dealt with in accordance with the terms of General Assembly Resolution No. 52(1) on expert advice to Member Nations.

The CHAIRMAN said that two of the countries concerned were already represented on the Economic and Social Council, and if the Commission on Narcotic Drugs recommended the enquiry to the Council, the four other countries could then be invited to be present at the appropriate meetings of the Economic and Social Council. He asked if the Commission wished to fix a minimum number of countries to approve the commission of enquiry before it would become effective. The Peruvian request stated:

- "1) That the alkaloid known as cocaine is obtained from the coca which is widely grown in the valleys of South America;
- 2) That since time immemorial the indigenous population of this part of the American Continent, especially along the Andean region of its West Coast, have indulged in the habit of chewing coca leaves; and ..."

which showed that the enquiry must embrace the several countries concerned. There was no question of advising Peru to bring her narcotics administration to a higher level. The request was for the technical study of the whole subject.

Dr. SZE (China) supported the Peruvian request, as a matter of general principle. The Chinese Government recognized the role of the United Nations in such a request, but economy combined with effectiveness must be a paramount consideration.

Dr. LAZARTE (Peru) thanked Dr. Sze for the support of the Chinese Government. He felt the Commission on Narcotic Drugs should advise the Economic and Social Council on the acceptance of the Peruvian request, and other organs of the United Nations would discuss the budgetary provisions. The question before the Commission was whether or not the study on the chewing of coca leaves should be made.

The CHAIRMAN put the question to the Commission.

**DECISION:** The principle of sending a commission of enquiry was approved unanimously.

Dr. KIPER (Turkey) suggested that the commission should include an expert in industrial hygiene, since, as Dr. Lazarte had indicated, labour conditions were involved.

The CHAIRMAN suggested that the following points might be considered in the scope of the enquiry which the Commission would recommend to the Economic and Social Council.

/1. effect of

1. effect of chewing the coca leaf;
2. limitation of production and control of distribution, in view of the forthcoming international conference on the limitation of raw material;
3. minimum number of countries which must co-operate before the commission becomes effective;
4. terms of reference;
5. co-operation of specialized agencies: the World Health Organization, the International Labour Organization, etc.
6. membership of the commission;
7. procedure for appointment of members.

The Economic and Social Council should be presented with a concrete plan and the Commission on Narcotic Drugs should discuss the question very thoroughly.

1. Effect of Chewing.

There was some discussion on the wording of item 1, and it was decided to leave the exact drafting until later.

DECISION: Item 1 was approved.

2. Limitation of production

Dr. LAZARTE (Peru) said that his Government was chiefly concerned in establishing whether or not chewing had a harmful effect, and if so, what degree of harm was caused. Cocaine was not produced by chewing as in the industrial process. Expert knowledge would be necessary to ascertain how much cocaine was produced by chewing.

Mr. STEINIG said that there were two problems, the effect of chewing the coca leaf and the limitation of its production and distribution for medical and scientific needs.

Preparatory work had been done by the Opium Advisory Committee of the League of Nations with a view to holding an international conference on the limitation of raw materials, the question was on the Agenda of the Commission and the Economic and Social Council had expressed its views as to the urgency of this matter in its resolution adopted at its fourth session on 28 March 1947. Available statistical data on the coca leaf were quite incomplete and no progress could be made until the Commission and, later on, the conference had as complete information as possible.

If the Peruvian Government had no objection, it would seem to be advantageous to combine the two enquiries, and if the effect of coca leaf chewing was found to be harmful, this would strengthen the case for the limitation of production. Moreover, a combined investigation might reduce expenses.

Dr. LAZARTE (Peru) said that he had no instructions on this aspect of the enquiry, but he would refer to his Government.

The CHAIRMAN reminded the Commission that the commission of enquiry would



only collect information and would take no action as to limitation. He suggested that this point should be approved.

DECISION: Item 2 was approved by 2 votes to 4 with 2 abstentions.

3. Minimum number of countries to co-operate with the commission of enquiry.

Mr. ARDALAN (Iran) pointed out that an enquiry into the consequences, harmful or otherwise, of chewing coca leaves could well be limited to Peru, since the effects would obviously be the same in all countries.

Mr. ANSLINGER (United States) agreed.

Dr. LAZARTE (Peru) replied that Peru offered a wide enough field for a complete investigation, the results of which would allow the Commission to form a definite opinion.

The CHAIRMAN pointed out that although the addiction results would be similar, the problem of limitation might be different in each country. It would be useless to consider limitation in one country only.

Mr. DELGORGE (Netherlands) recalled that large quantities of coca leaves were produced in Formosa and Java; the situation in these countries was different because of the non-indigenous character of the coca shrub. Moreover, in Java ecgonine was extracted from the leaf instead of cocaine. The habit of chewing the leaf was unknown in Java as also in Formosa. A system of limitation and control was already in force in Java.

Mr. STEINIG said that complete statistical information had always been available from Java. There had been a consistent decrease from 485 tons in 1925 to 158 tons in 1933. Before the war the situation was completely in hand and it was known that the local authorities in the Netherlands East Indies would be ready to give information in case of an enquiry in the Far East.

In reply to a question by the representative of France, Mr. STEINIG stated that there were no official figures showing the ratio of the areas where the coca leaf was cultivated to the total area under cultivation. Bolivia, for example, reported 8,333 hectares under cultivation in 1932, but there was no information showing comparison with all crops. It could be seen, therefore, that the information available was fragmentary.

Dr. KIPER (Turkey) desired the co-operation of all the States concerned since the coca leaf was put to various uses in each country.

The CHAIRMAN asked for a decision on Item 3.

DECISION: It was decided to make no mention of the number of countries which must agree to co-operate with the commission of enquiry.

5. Specialized agencies to be invited to co-operate with the enquiry.

Mr. KRASOVEC (Yugoslavia) said that he was in favour of the participation of the World Health Organization but did not see the necessity for asking the International Labour Organization to send a representative. Labour should be represented; he would prefer the World Federation of Trade Unions, or local workers' or agricultural organization. He wished the minutes to record that he

/saw no necessity



saw no necessity for the participation of the International Labour Organization of which Yugoslavia and some other countries were not members.

Mr. BOURGOIS (France) agreed that labour should be represented. He pointed out that the situation differed from that of opium which was consumed by hedonists in search of pleasure, whereas coca leaves were chewed by workers to combat fatigue.

Mr. ANSLINGER (United States) reminded the Commission of the value of the resolution adopted by the International Labour Organization in regard to opium smoking, which had contributed greatly to the prohibition of opium smoking in the Far East.

Dr. LAZARTE (Peru) in reply to the representative of Yugoslavia, said that the rural populations in Peru were the most addicted to chewing; he agreed that the agricultural as well as factory workers should be represented. He pointed out that Bolivia and Peru were heavy consumers.

Mr. KRASOVEC (Yugoslavia) wished to broaden the representation as both industrial and agricultural workers were affected.

Considerable discussion took place with respect to the wording for the inclusion of a labour representative.

The CHAIRMAN suggested that the recommendation to the Economic and Social Council might include "that membership in the Commission of enquiry be accorded to labour and/or agriculture". It was necessary to decide this point on account of the estimates of expenditure.

Major COLES (United Kingdom) observed that there was danger of unequal representation of agriculture to the detriment of industrial labour.

Mr. KRASOVEC (Yugoslavia) said that the reduction of cultivation would also necessitate the representation of both agricultural workers and land proprietors.

Mr. DELGORGE (Netherlands) recalled that it had been decided that the countries concerned should not be directly represented on the commission.

The CHAIRMAN, in summing up the opinions expressed, proposed the following wording:

"A representative of labour should be included in the commission of enquiry. The opinion expressed in the Commission on Narcotic Drugs was that both industrial labour and agricultural labour were affected by the chewing of coca leaves".

Mr. MAY (Permanent Central Opium Board) suggested as an alternative:

"The commission should investigate the effects of the use and limitation of coca leaves on industry, agriculture and labour".

Dr. SZE (China) was in accord with this proposal. As a technical body the commission must avoid all bias.

DECISION: The Commission adopted this last suggestion.

6. Membership of the commission.

The CHAIRMAN said that the representative of Turkey had made a proposal that a psychiatrist and an expert on industrial hygiene should be included on the commission.

Dr. LABIB (Egypt) suggested the inclusion of a pharmacologist.

Dr. LAZARTE (Peru) thought that a research team should investigate the pharmacological problems of chewing coca leaves, as there would be a considerable amount of experimental work. Perhaps such work would be carried out by toxicologists in the United States. The laboratory work might take six months.

Dr. SZE (China) opposed this from a financial point of view. He believed, moreover, that a great deal of physiological research had already been carried out by the Rockefeller Foundation and other similar bodies. It might take years; there was no controversy regarding the harmful pharmacological effects of coca chewing. There was controversy regarding the sociological and economic effects and it was these effects that needed investigation.

Dr. LAZARTE (Peru) stressed the fact that most of the research had been done on the harmful effects of cocaine and very little was known of the effects of chewing coca leaves. The pharmacological effects should be the main part of the investigation. Some work had been done in Peru, Argentina and Colombia, yet many facts were still unknown.

The CHAIRMAN reminded the Commission that the World Health Organization had a Narcotics Committee which would be competent to furnish the commission of enquiry with a full report on the medical research into the effects of chewing the coca leaf.

Mr. ANSLINGER (United States) supported the Chairman's suggestion and said that the Colombian Government had achieved useful work on this subject.

The CHAIRMAN said that he would arrange for the Secretariat to approach the World Health Organization as soon as possible, if the Commission was in agreement.

Dr. RAMOS y RAMOS (Mexico) felt that Peru itself could provide a great deal of help. The Faculty of Medicine and laboratories in Peru were already familiar with the problem. The commission should be limited in number and its task made as straightforward as possible.

The CHAIRMAN said that he had every hope that every country would co-operate and that the commission would have ample opportunity to hear local experts. He felt that it was necessary to include a competent medical member on the commission to assay these opinions. He asked the Commission if it was agreed to recommend a psychiatrist and an expert in industrial hygiene as members of the commission and to ask the World Health Organization to furnish to the commission of enquiry an interim report on medical research and all allied questions from their Narcotics Committee.

DECISION: These suggestions were adopted unanimously.

The meeting rose at 4.55 p.m.

/NINTH MEETING

NINTH MEETING

Held on Wednesday, 30 July 1947, at 10.30 a.m.

Chairman: Colonel C. H. L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland),  
Mr. Sattanathan (India) who was replaced by Mr. Tandon,  
Mr. Ardalan (Iran) who was replaced by Mr. Panahy, and  
Professor Zakusov (Union of Soviet Socialist Republics).  
Mr. Herbert L. May was also present.

Mr. STEINIG (Director of the Division of Narcotic Drugs) stated that draft summary records of the discussions would be distributed as soon as possible to the Commission for their study, and corrections where necessary. The records contained only a summary of the statements; any representative desiring the reproduction in extenso of his statements should announce this in advance.

Continuation of the discussion of Item 11 of the Agenda: Coca Leaf: Request by the Government of Peru for a Field Survey. (Documents E/C.N.7/67.Corr.1 and E/C.N.7/77)

The CHAIRMAN briefly recalled the decision taken at the eighth meeting regarding the composition of the commission of enquiry; the purely medical part had been decided and the Commission now had to consider the further membership. He suggested the sentence: "The Commission felt that a representative of labour should be included in the Commission" in view of the fact that the opinion had been expressed that both industrial and agricultural labour were affected by the chewing of coca leaves.

Dr. SZE (China) remarked that it had been agreed on the previous day to avoid the specific designation of a representative of labour.

The CHAIRMAN said that the text proposed by Mr. May (President of the Permanent Central Opium Board) "The commission should investigate the effects of the use and limitation of coca leaves on industry, agriculture and labour" did not include any representation of labour. He thought that the terms of reference should give the composition of the commission. The Council was entitled to receive a specific recommendation on the constitution of this mission.

Mr. MAY remarked that his suggestion was made because he thought that, if the mission was to include experts in sociology, medicine, psychiatry and labour, the mission would be refused on account of the projected size. An economist could take care of the various non-medical aspects of the question.

Mr. KRASOVEC (Yugoslavia) agreed that the text read by the Chairman

/covered the

covered the opinion expressed at the eighth meeting; the mention alone of the representation of labour and agriculture would be sufficient.

The CHAIRMAN pointed out that the Commission had to decide:

1. whether the mission should include a labour representative, or
2. whether the agricultural aspects, and more particularly the labour, could be adequately handled by the two medical experts, who would undoubtedly have a knowledge of sociology. He enquired whether the Commission was prepared to vote on the following text:

"The commission should investigate the effects of the use and limitation of coca leaves on industry, agriculture and labour."

Mr. BOURGOIS (France) wished the words "in particular" be inserted after the word "investigate" ("notamment" in French), and Dr. LAZARTE (Peru) requested the addition of the words "of production" after "limitation".

DECISION: The sentence as amended, reading: "The Commission should investigate in particular the effects of the use and limitation of production of coca leaves on industry, agriculture and labour" was approved.

Mr. MAY declared that it was not usual in investigating commissions to have every interested party represented; if the mission included an economist, then labour, agricultural and industrial experts could be called as witnesses.

This view was supported by Major COLES, who would include only an economist and a medical expert. The mission was intended to conduct an impartial scientific enquiry. On these grounds no member of the commission should represent any specific interest.

Mr. ANSLINGER (United States) also agreed with this view and remarked that he had recently read the report of an agricultural economist on the subject. He would be glad to make this report available to the Commission. In his opinion a good economist should be able to cover all the studies necessary respecting labour, both industrial and agricultural, as well as social conditions and the like.

Dr. LAZARTE (Peru) concurred.

DECISION: No representatives of labour or agriculture should be included in the commission. They could be called as witnesses.

Mr. STEINIG then referred to the administrative side of the question. As the Commission had decided to broaden the scope of the commission of enquiry so as to cover also the limitation of production and control of distribution of the coca leaf, the Council would have to appoint two administrators having experience in international administration and control

/of narcotic

of narcotic drugs, one of whom would preferably be an economist. The commission of enquiry would be required:

1. to carry out a survey and to complete the information at the disposal of the Secretariat with regard to the possibility of limiting production of coca leaves, and of substituting other crops, if possible;
2. to appraise the financial and economic effects on the industry and agriculture of the country; and
3. to formulate principles which could be included in a future convention on the limitation of the coca leaf.

The last part of the enquiry would be especially important because the objective would be to provide not only documentary evidence and statistical information but also a preliminary opinion as to the best method of effectively limiting the production of and trade in coca leaves.

The CHAIRMAN said that the mission would thus have two teams. A team of two medical experts and a team of two administrative experts. Would they be working in conjunction or conduct separate investigations along their own lines?

Mr. STEINIG replied that information available to the Secretariat showed that the regions where coca leaves were chewed were rarely, if ever, identical with the regions in which the coca trees were cultivated. It would, therefore, be in the nature of things that the commission should be subdivided accordingly; a certain co-ordination of the work of the two teams would be necessary.

The CHAIRMAN asked the representative of Peru whether, among the countries within the orbit of the enquiry, there were any in which chewing of coca leaves occurred but in which the coca leaf was neither cultivated nor growing wild.

Dr. LAZARTE replied that Mr. Steinig's statement was correct; the areas of consumption for the purpose of chewing were not the same as the areas of cultivation. The coca shrub grew in the hill regions at altitudes varying from 1,500 ft. to 6,000 ft. Consumption, however, was particularly heavy in the coastal regions where the trees did not grow. To his knowledge there were at least two countries where the coca shrub was not cultivated. Neither Chile nor Argentina were producing countries, although he could not say definitely that the shrub did not grow wild in those countries, since conditions in northern Chile were similar to those in Bolivia.

To the the Chairman's enquiry, Dr. LAZARTE replied that it was possible that there might be export to those countries which did not cultivate the coca shrub.

/Mr. STEINIG



Mr. STEINIG stated that the questionnaire on the coca leaf prepared by the Secretariat contained information on the export of coca leaves during the period 1937-1938, giving tables of countries to which coca leaves had been exported. Bolivia was the only country exporting large amounts to other countries for consumption by addicts; in the two years mentioned, all of the 771 tons exported by Bolivia had gone to countries where the habit of chewing coca leaves prevailed. Peru, in that period, exported 423 tons, but almost half of that total went to the cocaine manufacturing countries and most of the remainder to countries manufacturing non-narcotic substances.

The CHAIRMAN said that the inference was clear and wished to know whether the exports from Bolivia went to one or more of the countries coming within the scope of the mission.

Mr. STEINIG replied that the whole of Bolivia's export went to Argentina, which had not supplied any statistics on consumption.

Dr. LAZARTE mentioned that, in the main, Peruvian exports of coca went to the United States; his country did not export to Chile or Argentina, nor naturally to the producing countries Ecuador, Bolivia or Colombia.

Mr. ANSLINGER (United States) gave the 1946 exports of coca leaves from Peru: 236,000 kilogrammes went to the United States; 41,000 kilogrammes to France; 27,000 kilogrammes to Argentina; Bolivia took 11,000 kilogrammes; Switzerland, 635 kilogrammes and the United Kingdom 514 kilogrammes. In 1944-45 there had been exports of coca leaf to Chile.

The CHAIRMAN then asked the Commission whether it agreed that there should be two administrative members on the commission of enquiry, one of whom should be an economist.

DECISION: The commission of enquiry should include two administrative members, one of whom should be an economist.

Mr. STEINIG pointed out that the question of the chairman arose. The Economic and Social Council would first have to appoint the members of the mission and then decide on the chairman, who would be either one of the four members or a fifth person, taking the sub-division of the mission into account. The Commission on Narcotic Drugs would be asked for guidance on this question. Mr. Steinig emphasized that the chairman had to be appointed by the Council.

The CHAIRMAN asked the Commission if a mission composed of four members would be sufficient, leaving the appointment of a possible fifth member, the chairman, to the Council.

DECISION: Agreed.

The CHAIRMAN then asked what assistance the Secretariat would give the commission of enquiry, remarking that in his opinion the highest secretariat post should be a member of the Secretariat of the highest standing in view of the technicality of the work.

/Mr. STEINIG



Mr. STEINIG replied that if and when the Council decided to appoint the commission of enquiry, the Secretary-General would appoint its secretariat. The composition of the secretariat of the commission would depend on the decision of the Council as to the scope of the enquiry and the terms of reference of the commission. The Secretariat might have to send two officials of higher administrative rank from the Division of Narcotic Drugs, of whom one should have perfect knowledge of Spanish and of one of the working languages; one secretarial or administrative assistant and one clerk.

The CHAIRMAN said that he understood that in regard to the question of expenditure an administrative impasse might easily be reached. He would like the mission, if approved, to get off to a good start. It was fairly easy to estimate fares, but the possible duration of the mission weighed heavily in calculating living allowances. Perhaps the Commission would like some delicate reference made to that consideration. It was impossible for officials at Lake Success to say arbitrarily how long the mission should take in view of the scientific work involved. That could only be resolved on the spot by the members of the commission themselves. There would have to be some latitude as regards the duration of the mission. He asked for the views of the representative of Peru.

Dr. LAZARTE agreed in view of conditions of transport in Peru, a mountainous country, particularly in the regions where the coca leaf was grown. There might be unforeseen difficulties of transport, and traveling could be very difficult in certain districts.

Mr. STEINIG suggested that in order to meet this difficulty the Commission might advise that "unforeseen expenditure" should amount to twenty-five per cent of the expenditure allowed.

With regard to the terms of reference, Mr. STEINIG said that the Secretariat would like two days to prepare a short summary of the discussions and decisions taken in the matter together with a report for submission to the Council, giving all essential points including the terms of reference and an outline of the procedure for the appointment of the commission. It should be mentioned that the World Health Organization would be asked to submit the names of the medical experts.

The Commission approved the procedure outlined by Mr. Steinig.

The CHAIRMAN proposed that the discussion on the whole subject be adjourned until the following Monday when the draft report of the Secretariat would be submitted for approval.

It was decided that although Item 15 was to be considered again at the present meeting, there had not been time for careful study. The Commission agreed to postpone the matter until the following day.

Item 6 of the Agenda: Illicit Traffic.

(a) Consideration of Provisional Reports on Illicit Traffic for 1946.

(Documents E/CN.7/W.1, E/CN.7/W.1/Corr.1 - Chapter V of the Annual Report of the United States of America)

Mr. ANSLINGER (United States) felt that it might be preferable to study this traffic not only from the standpoint of 1946 but also of all documents on the subject of seizures including the first half of 1947. A comprehensive picture of the whole traffic would be more desirable, especially information as to the trends and sources. Information showed the present principal sources of the illicit traffic to be Turkey, India, Iran and Mexico, in that order.

The CHAIRMAN agreed that a general discussion of this nature would be desirable. He thought that perhaps the representative of the United States could furnish additional material to that collated by the Secretariat from reports furnished by the various governments.

Mr. ANSLINGER gave a review of the illicit traffic in raw opium. The statement of the United States covered the year 1946 and the first half of 1947 and was based almost entirely on seizure reports from the United Nations. There had been fifty seizures of Iranian opium totalling 202 pounds, which showed a reduction. Seizures of Indian opium totalled about 5,555 pounds, the seizures having mostly been made in India; large seizures had been made on vessels in India about to depart for the United States; this showed excellent work on the part of the Indian government, but it also showed that there was a tremendous diversion and indicated that there was something wrong with the control.

There had been seventy-one seizures of Turkish opium totalling about 6,000 pounds; seizures of Indian and Turkish opium were therefore about equal. There were fairly large seizures in Burma. In Egypt, seizures totalled 1,090 pounds, the opium being probably smuggled from Turkey via Syria, Palestine and Lebanon. Seizures in Palestine amounted to 1,043 pounds, appearing to be of Turkish origin. In the spring of 1947, the Turkish authorities arrested more than 393 opium smugglers on the Anatolian-Syrian border, the seizures amounting to 146 kilogrammes. This was an encouraging indication reflecting that the Turkish authorities were doing their best to repress the smuggling of raw opium out of Turkey. In the Lebanon, 4,122 pounds had been seized and reliable information showed that the opium was of Turkish origin.

In Mexico, there had been a number of seizures and a number of clandestine laboratories had been discovered. Mr. Anslinger said that he would revert to the question of Mexico later on in the discussions.

/There had

There had been 183 pounds seized in Hongkong and a number of seizures in Great Britain and Canada had also been reported. There had been a considerable number of seizures in Japan due to confiscation by the army authorities. There was a large traffic in Siam from the Shan States, which reached its peak in April 1947 when two million bahts of opium were confiscated in the northern provinces. Large quantities of Iranian opium also reached the illicit traffic in Siam and Mr. Anslinger wondered whether Iran exported to the monopoly there. It was reported that in Trieste large quantities of raw opium of Yugoslav origin reached the illicit traffic. There were also some seizures in Korea and information available showed that opium from the northern part of that country, which was in Russian territory, was being smuggled into Manchuria.

In reply to a question by the CHAIRMAN, Mr. ANSLINGER repeated that all the information had been obtained from seizure reports submitted by the Secretariat, with the exception of one or two reports which had not yet been sent in to the United Nations. They included a large seizure in the Lebanon, and a seizure of 3,254 pounds of Indian opium in Singapore in 1947.

The CHAIRMAN recalled that in the League there had been a Seizure Sub-Committee of the Opium Advisory Committee which met a week before the session and went through all the seizure reports very thoroughly. The members of that Sub-Committee had intimate knowledge of the illicit traffic. In addition to the information presented to them they brought it up to date and as a result were able to publish a completely up to date report which was very valuable to the Committee. He suggested that a document similar to that submitted by Mr. Anslinger should be prepared by the Secretariat before the next session.

Mr. ANSLINGER replied that he would be glad to put the document at the disposal of the Secretariat; as mentioned previously, the information contained therein was based mainly on the seizure reports.

The CHAIRMAN remarked that evidence showed that certain countries continued to be target countries, in particular, the United States, which on account of the excessive prices prevailing there on the illicit market, was the traffickers' heaven. Opium prices quoted were between \$600 and \$900 a pound. Egypt was another target. A steady stream of opium was heading there, in many cases with evidence as to its origin. There was some improvement with regard to illicit exportation from India. During the war the United States and Canada suffered heavily from that traffic.

The Turkish authorities had shown that they were actively engaged in efforts to keep matters under control. The fact still remained, however, that large quantities of opium of Turkish origin were going through certain /channels.

channels. It was to be hoped that the export control machinery nearest the scene of the seizures would be thoroughly revised and the Governments would satisfy themselves that all the opium grown in their territories was turned into their monopolies. The same situation obtained in India and he asked that members of the Commission from those countries where sore spots developed should ensure that all possible steps to put an end to the illicit traffic were taken.

Referring to the statement made by Mr. Anslinger that large quantities of Iranian opium were finding their way to Siam, he asked the representative of Iran to give any information he had on this subject to the Commission.

Mr. PANAHY (Iran) replied that his country had in the past sold under licence, but that he had no particular knowledge of opium being sold to Siam. He would, however, make enquiries and report back to the Commission.

Mr. KIPER (Turkey) made the following statement:

"From the official data given in the documents of United Nations, and from the report of the United States on illicit traffic of narcotics, I notice only one seizure of raw opium of Turkish origin in 1946. So the trend is markedly going down.

"Generally Turkey has never been an important source for illicit traffic of narcotic drugs.

"If you investigate the facts and statistical data you shall easily see that the illicit traffic of opium is rather much less in Turkey than any other country. The report, published and distributed by the United Nations' Economic and Social Council (E/NS/77) which is in our hands right now, shows no illicit traffic of opium in the year 1946, nor any case has been reported in Turkey prior to that date.

"During the first three months of 1947, only four cases of illicit traffic of opium have been reported, in three of these cases the confiscated amount of opium was less than one kilogramme.

"We seize now and then, as it happens in other countries, heroin, cocaine, hashish and other narcotics. As you all perfectly know, we neither produce nor manufacture any one of them. So it is obvious that the origin of these narcotics is entirely outside of Turkey (I refer you again to the documents).

"As far back as 1932, the Turkish Republic, purely with aim to help humanity, and in spite of the fact that opium is the only source of subsistence of a big mass of producers, with a strict decision of the Board of Ministers, accepted to join to the international agreements on narcotics, and subsequently passed Bills to put all opium and other narcotics under government control and monopoly with all her power to prevent illicit traffic in the country.

/"Besides the



"Beside the available penal laws, a special law No. 2253, by the name of the "Law about the monopoly of narcotics" and another law No. 3491 by the name of the "Law of the Office of Ground Products" have been enacted.

"According to all these prevailing laws, opium producing districts in Turkey have to be fixed every year by a decision of the Board of Ministers and special permission for the cultivation has to be obtained from the Government. Also according to the laws at present in force, the exportation of opium, importation of fabricated narcotics and distribution of them inside the country have been placed under Government monopoly and control. All the opium we produce is purchased by "Torak ofis" so-called "the Office of Ground Products" and is exported by the same office only to the countries that hold an import permit taken from their official agencies according to the international agreements.

"Heavy fines and imprisonments are being applied to those who attempt the illicit traffic of narcotics.

"Drug addiction, whatsoever, has not been generalized in Turkey, and always has been negligible.

"Besides the above measures taken against illicit traffic, just in order further to prevent the smuggling, opium is being purchased with very high prices and if the product is extremely good quality, a ten per cent premium is being given in addition to original price.

"All these performances, done by my Government to prevent the illicit traffic and to help the international measures to work properly, were acknowledged a long time ago by the United States of America with a great admiration, and you probably remember that these sacrifices and co-operation of Turkey were proclaimed by radio to all over the world by "The World Narcotic Defense Association of America". The purpose of these statements that I made in detail is to point out the desire and attempts of my country to co-operate with all other nations, acting with goodwill in the control of narcotics throughout the world.

"All these measures which have been taken by Turkey are being improved day by day.

"We consider it as a civic duty of ours to respect all international agreements in order to rescue humanity from any drug addiction, that we do not have in our country, and we have been applying all available measures with all the power in our hands. If we feel any insufficiency or inefficiency in regard to application of these measures, I am authorized to say that my Government will take every step to

/correct them

correct them in the proper way and in a short time."

Mr. ANSLINGER (United States) said that the Turkish Government was to be congratulated on the efforts it had made to prevent smuggling out of Turkey. The latest arrests indicated that the enforcement officers were very busy, and he recalled that Turkey in 1931 had closed many factories supplying heroin and morphine to the illicit traffic. A seizure had been made in New York two weeks previously of twenty-seven pounds of opium which the chemists were certain was of Turkish origin. The United States had succeeded, by means of new methods, in identifying the origin of the opium. With regard to heroin being found in the traffic in Turkey, Mr. Anslinger said that he realized that Turkey did not manufacture that drug; his office, however, received monthly reports of items appearing in Turkish newspapers, and almost every month there was a record of a clandestine heroin laboratory being discovered, mostly in the Istanbul area.

Mr. KIPER (Turkey) replied that newspaper articles were not official records. The amounts that were manufactured in clandestine laboratories were extremely small; he pointed out that the most important seizures were not in opium and heroin but rather in hashish, which was not cultivated in his country.

The CHAIRMAN said that the Iranian representative was aware that no annual report had been received from his Government since 1940. The members of the Commission would be glad if the representative of Iran could obtain as much information as possible during the present session as to the quantities of drugs exported by Iran, if any, and to which countries.

The representative of Iran agreed to do so.

M. BOURGOIS (France) considered the statement of the representative of Turkey a most interesting one, and, referring to the work on limiting the production and controlling distribution, suggested that the Secretariat should prepare as detailed a list as possible of all Turkish legislation on the matter.

The meeting rose at 1.00 p.m.



TENTH MEETING

Held on Wednesday, 30 July 1947, at 2:30 p.m.

Chairman: Colonel C.H.L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland), Mrs. S. S. Sathyanathan (India) who was replaced by Mr. Tandon, Mr. Ardalan (Iran) who was replaced by Mr. Panahy, and Professor Zakusov (Union of Soviet Socialist Republics). Mr. Herbert L. May was also present.

The CHAIRMAN conveyed to the members the warm thanks of Mr. Laugier, the Assistant Secretary-General in charge of Social Affairs for their greetings and his best wishes for the success of the session.

Procedure for the Communication of Information

Mr. MAY (President of the Permanent Central Opium Board) explained to the Commission the procedure by which the Board and the Supervisory Body obtained their latest information. The Secretariats of these bodies sent airmail letters and cables to governments, informing them of the dates at which questions would be discussed and asking them to provide all material pertinent to those questions for the particular meeting. This method had proved quite satisfactory.

The CHAIRMAN felt that the Commission on Narcotic Drugs might wish to give similar instructions to the Secretariat of the United Nations, leaving it to the Director's discretion to follow this procedure only when he considered it essential. In this way the loss of time incurred by constant reference to governments would be obviated, and the information obtained would fill the hiatus between the current and past knowledge of imports, exports and other data.

Item 6 of the Agenda: Illicit Traffic.

(a) Consideration of Provisional Reports on Illicit Traffic for 1946

(Continuation of the discussion). (Documents E/CN.7/W.1 and E/CN.7/W.1/Corr.1)

Mr. ANSLINGER (United States) presented the reports prepared by the Government of the United States. He made the following statement:

"I have received information from the representative of the United States who accompanied the Mexican officials engaged in making an aerial survey in Mexico last spring that the cultivation of the opium poppy in Mexico covers a large area and is increasing year after year. It is estimated on the basis of observation and photographs of an area of about 1,000 square miles that the poppy fields now number close to 10,000 averaging one-half hectare (1 1/4 acre) or more per field. The total  
/area is

area is between 4,000 and 5,000 hectares (10,000 and 12,500 acres), producing from thirty-two to forty metric tons of opium. The principal opium producing area is roughly 6,000 square miles in extent. It forms a rectangle east of Bodiriguato, Sinaloa. It extends in a northwesterly direction with the eastern boundary on the western slopes of the Sierra Madre mountains.

"The aerial survey I have mentioned was made northeast of Bodiriguato. In this limited area of approximately 1,000 square miles, 1,500 to 1,700 fields were observed. Outside of the 1,000 square miles main area, an additional 3,000 fields were observed.

"For various reasons, notably the change in the administration, a misconception of the extent of the task, the lack of manpower and finances, the 1947 opium poppy destruction campaign conducted by the Attorney-General achieved poor results. Approximately 200 poppy fields, having a total area of only thirty-six hectares (ninety acres) were destroyed by a ground expedition.

"The cultivation of the opium **poppy in Mexico**, although prohibited by Mexican law, appears to be tolerated **by the state** and local authorities in the producing areas, with the possible exception of the State of Sonora.

"It is reported that between twenty and thirty secret landing strips for airplanes have been constructed in Mexico to handle the transportation of narcotics from Mexico to the United States. There is confirmation of this on both sides of the border. The Mexican Government recently seized a plane loaded with narcotics in Mexico and a crashed plane containing the bodies of two known narcotic smugglers was found in the United States. We also have information that underworld groups in the United States have their representatives in Mexico to promote the cultivation of the opium poppy, to purchase the crop and to arrange for its transformation into more valuable and less bulky derivatives, thereby facilitating transportation.

"Information received from reliable sources indicates that there are twelve or more clandestine laboratories in Mexico, a few of which are large and well equipped. Two of the laboratories have been seized during the last few months.\* It is estimated that at least one-half of the raw opium produced in Mexico is being processed into either morphine or heroin.

"The United States is concerned over the narcotics situation in

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\* and one more since this report was prepared.

Mexico because most of the narcotics produced are intended for smuggling across the border into our country and are a serious menace to the health of our people. In order to present a picture of the present situation along the border, I have in a separate paper described in detail a shooting affray that occurred a few weeks ago at Woodbine Check near Calexico between desperate Mexican smugglers and narcotics and customs enforcement officers of the United States. I am authorized to state that my Government hopes that the Mexican Government will increase its activity without delay, in consonance with its international obligations, with a view to suppressing the illicit cultivation of opium poppies within its borders."

Mr. ANSLINGER then turned to the affray at Woodbine Check and continued:

"One of the routes of easy access between Mexico and the United States is the Mexicali-Calexico gateway. Mexicali in Baja California, Mexico and Calexico in California, United States of America, are contiguous along the border. They are accessible by good roads and this area has become a favorite one for the operations of narcotic drug smugglers.

"In May, 1947, following the annual harvest of the illicit opium crop in Mexico, customs officers on the border learned of the presence in Calexico of traffickers who were offering huge amounts of narcotics - smoking opium and heroin - for sale. In order to gain definite information as to the operations of this gang, it was decided to attempt to approach them in an "undercover" operation. A seasoned and versatile narcotic agent, Oscar W. Polcuch, was selected. Soon he appeared in Calexico equipped with a background as a "big Hollywood buyer" of narcotic drugs. Representatives of Mexican narcotic smuggling organizations lost no time in seeking him out. In fact, one of the difficulties attendant on the successful completion of the investigation was that several competing brokers, some of whom may have been hoping to deliver the identical contraband, engaged in a contest for his business.

"The principal gang of Mexican smugglers was found to be one headed by Jesus DEMARA alias CHIGUILLI, self-styled "Al Capone" of lower California. This man had a reputation as a bank robber and all-around bad man. Appearing prominently in the negotiations was Jesus Maria REYNA-Colays alias "The Professor."

"The usual long-drawn out negotiations which are attendant on a "first deal" followed. Agent Polcuch had to be equipped with a "flash roll" - \$2,500 made up to simulate \$25,000 - and of course was in the greatest danger of being killed for his money. Dissension among the

/smugglers

smugglers also delayed operations and added to the difficulty of the investigation.

"One sale of opium to Agent Polcuch failed to materialize when part of the drugs to be delivered to him was seized by customs officers in a routine inspection at the border of a car being driven into the United States by a woman in the employ of the smugglers.

"Many false appointments were made by the smugglers as tests. Finally, on the afternoon of June 22, 1947, Sunday, the band gave short notice of intention to deliver 138 five tael cans of opium at Woodbine Check, seven miles west of Calexico.

"Woodbine Check is an obstruction or drop in the All-American canal. Here the canal is spanned by a small concrete bridge. At the designated point, the canal is possibly forty or fifty yards north of and runs parallel with the international boundary line. A footpath leads from a road in Mexico that parallels the boundary to the bridge. On the north bank is another footpath leading down the north bank to a very poor dirt road running north of the canal and parallel to it. The canal banks are covered with brush and young trees offering good cover and concealment. The country north of the canal bank is flat and under cultivation. There is no cover except an occasional clump of brush and a few telephone poles. Any attempt to send covering officers to the vicinity would have readily been detected.

"It was known that the smugglers were heavily armed and the possibilities of ambush were understood. Nevertheless, the officers accepted the risks. Such dispositions as limited time and personnel permitted were made. It was considered safe to send two customs officers (Lynch and Merkt) with rifle and field glasses to a building some hundreds of yards from the rendezvous where they would offer such such support as they could. This proved to be a fortunate provision. Not more than one car could be sent to the rendezvous; because automobiles rarely went to Woodbine Check, the presence of any other car would have alarmed the smugglers. It was decided to conceal as many men as possible in this car. In the back compartment customs officer Grant was hidden. The rear seat of the car was removed and concealed under blankets and suitcases were customs officers Parkerson and Sheehan and narcotic agent Craig. These men were armed with pistols and two riot guns. Of course, they were cramped in position and blind until the action started.

"As Agent Polcuch drove to the rendezvous, he was the only man in sight in the car. It was now about 7.00 p.m. He observed three men waiting on the footpath near the bridge and stopped his car about fifty paces from them. He saw that all three men had automatic pistols

/strapped

strapped around waists. He went forward on foot to meet the three men and they came toward him. He found they had the opium. He led them, carrying the drugs, back to the car and gave the concealed officers the signal. As soon as the first agent emerged from the car, a smuggler fired at him with a pistol but missed. One smuggler dropped to the ground and was captured unharmed.

"Agent Polcuch fired almost point-blank three times at another of the smugglers and believes he hit him. Because of their cramped position, there was a little delay in getting into the action on the part of the agents who had been concealed in the car.

"The following excerpts from the officers' reports give some of the details.

'The subsequent action was fast, and was over in seconds. Chiguili and the stocky man retreated up the footpath, firing as they went. Loreto also fired. Chiguili had, we learned, stationed at least two men with rifles, one a .22 caliber, and the other a .30 caliber, on the canal road, east and west of the bridge.

'Parkerson engaged in a brief duel with Chiguili after the latter had regained the upper road, Parkerson firing from a standing position at the right side of the car as if in target practice, Chiguili firing over the brush at the head of the footpath.

'Their rifle fire was very impressive to us. Grant left the cover of the automobile to dash behind a nearby telephone pole, and the pole was hit immediately he got behind it.

'Customs officers Lynch and Merkt, from their place of concealment at the outset of the battle, noticed a rifleman on the bridge at Woodbine Check. This man was shooting at the officers down below in the culvert. Officer Merkt fired one bullet at this rifleman and observed him spin around twice, fall, and crawl away into Mexican territory.

'Shortly after that, Sergeant Lynch and Inspector Merkt drove quickly up to where the rest of us were, and took cover in the brush by the ditch. Intermittent firing by the smugglers continued in diminishing degree for about half an hour.

'An examination of the government Pontiac car driven by Polcuch disclosed ten holes or mementos of the gunfire of Sunday night. They were as follows: One hole through roof over right side. One through window of right rear door. Two in running board under right side at middle of car. Large dent in left side of top. One hole in panel over speedometer. Torn upholstery on left top

/corner



corner of front seat. Dent in front inside frame of left rear door. Two holes in right front tire. We estimate that the automobile was hit by about seven shots, mostly within the first few seconds of firing.'

"Darkness ended the engagement. More than 200 shots had been exchanged. None of our officers was hit. Under the circumstances, it has been difficult to ascertain the effect of our gunfire on the smugglers. Our best information is that three of these were wounded, two of whom subsequently died.

"It is believed there were six to eight smugglers who participated in the fight.

"Several hours after the gunfight, the chief of police of Mexicali, Juan MENESES Adarga, was assassinated by machine-gun fire. It is reported that on the previous day he had been asked to furnish a convoy or safe conduct across the line for the opium smugglers and had refused. In some quarters his killing is believed to be retaliation by the smugglers because they were forced to do battle.

"On July 2, 1947 at Los Angeles, California, indictments were returned against Pablo MARTINEZ Galvez, held in \$50,000 bond, who had been taken prisoner at the time of the battle, and against others alleged to have participated in the smuggling venture. Among those indicted in addition to MARTINEZ were: Jesus DEMARA, Jesus Maria REYNA-Celaya, Loreto SANCHEZ, Ramon VALASQUEZ, and Eva PEREZ Cruz. REYNA was arrested on this indictment on July 22, 1947 by customs officers when he ventured into the United States territory."

The CHAIRMAN expressed his concern over the extremely serious situation disclosed by these statements. The reports, he said, demonstrated the bravery and efficiency of the United States officials and indicated the great need for continuing such work. He hoped that the Mexican authorities would continue their co-operation.

Dr. RAMOS y RAMOS (Mexico) made the following statement on behalf of his Government:

"With reference to the statement of the United States representative, Mr. Anslinger, concerning the narcotic drug situation in my country, I venture to make the following observations:

"1. Whatever may be the degree of seriousness of this situation narcotic drugs are from every point of view illegal and this is clearly and positively stated in our Health Code, which, subject to international treaties and conventions, (Article 405), prohibits the sowing, cultivation, harvest, manufacture, purchase, possession, prescription, preparation, use and consumption of opium, (Article 408),  
/as well



as well as the sowing, cultivation and harvest of the various types of Indian hemp, opium poppy, and coca plant. (Article 410).

"2. On the subject of the air raids mentioned as a method of locating and destroying illicit plantations, auxiliary to the usual methods, they are undoubtedly of enormous value and produced great practical results, in view of the geographical conditions of my country in which there are mountainous regions so remote from means of communication that they are not easily accessible by ordinary methods; but on the subject of the existence of clandestine landing fields in my country, my Government has no official information, and I also ask the representative of the United States that his Government get in touch with mine through appropriate channels with precise reference to these facts so that the corresponding legal measures may be taken.

"3. With respect to Mr. Anslinger's statement regarding the tolerance or complicity of certain local or state authorities in the cultivation of the opium poppy in my country, may I, with all due respect, ask Mr. Anslinger to request his Government to communicate a precise statement of the facts to my Government through the proper channels. Mr. Anslinger may rest assured that the Federal Government, having duly investigated the situation, will strictly enforce our laws and obligations under international treaties and conventions.

"4. As regards the hope expressed by the representative of the United States that the new administration of my country will intensify its activities with respect to this problem which is of particular concern to the United States owing to the fact that a large part of the illicit traffic in narcotics is conducted over the border between our two countries, permit me to say that the programme of my country's new administration in the field of public health lays special emphasis on the initiation of a strong drive against illicit traffic in narcotics and on the destruction of opium poppy plantations.

"5. My Government appreciates the close and efficient co-operation of the American authorities with our health authorities on the problem, which was acknowledged in my Government's Annual Report for 1946 to the United Nations, and I am further authorized to inform you that the health authorities of my country wish and intend to hold conversations with American health officials in the field of narcotics, with a view to instituting a joint programme designed to intensify the drive to solve this serious problem affecting the people of the United States as well as those of Mexico."

/The CHAIRMAN

The CHAIRMAN assured the representative of Mexico that there had not been any intention on the part of any member to accuse the administration of his country of inefficiency. He felt sure that the Mexican Government would do everything possible to co-operate with the United States Government, which, on its side, would do everything in its power to give assistance. It was not an impossibility to put into operation a plan to stop unlawful activities on the border; he would instance a recent frontier outbreak of foot and mouth disease on which many million dollars had been spent in co-operative efforts by the Governments of both the United States and Mexico.

There still remained the real problem of illicit cultivation and traffic. Aerial photographs had revealed 4,500 fields and of these 4,300 were yet to be destroyed.

Mr. ANSLINGER (United States) continued the submission of United States reports on trends of illicit traffic.

2. Prepared Opium

Very few seizure reports had been received. World trends could not, therefore, be discussed. The following figures were available: United States, seizures amounting to 204 pounds, mostly of Mexican origin; United Kingdom, five seizures, forty-nine pounds in 1946 and one in January 1947, of seven pounds at Southampton; Trinidad, eight pounds, seized from an American vessel; and only thirteen ounces were seized in Canada in 1946.

3. Opium Dross

Three seizures totalling eight ounces were reported by Canadian authorities.

4. Morphine

Seizure reports were submitted by Canadian, Egyptian, and United States authorities for 1946. Morphine seizures were very slight.

5. Heroin

So few reports had been received that it was impossible to consider world trends. 314 ounces of heroin were seized in the United States, in great part originating from Marseilles. It was known that there were four or five clandestine laboratories operating in Marseilles, all under the same gang. It was reckoned that if one was raided by the police, the other four continued operations. In February 1947, nearly three kilogrammes were seized on the John Ericsson which had sailed from Le Havre to New York. Mr. Anslinger asked the representative of France to bring this matter to the attention of the French police authorities before the traffic so increased as to get out of control. A large seizure of heroin was reported at Izmir, Turkey, in 1947, and he asked the representative of Turkey to obtain particulars from his Government on this seizure, as no report had

/been received.

been received. The Greek Government reported a seizure of forty-one pounds from a clandestine plant in Athens. Egypt reported four seizures totalling two pounds, three ounces. Canada reported two seizures of very small quantities.

M. BOURGUIS (France) stated that he had not been aware of the existence of clandestine laboratories in Marseilles. He reminded the Commission of the seizure made in New York on March 1947, on board the French steamship Saint-Tropez.

The place of origin of the drugs found on board had not yet been discovered, in spite of a series of investigations in Marseilles. The milieux frequented by BRUCHON, NEGRO and even ROSSI had been watched without result.

Information furnished by the customs authorities, who had also carried on an enquiry, seemed to indicate that the drug might have been brought aboard at Lisbon.

The total amount of heroin in France never exceeded sixty-five kilogrammes and pharmacists had at most approximately 200 grammes. At present the total stock in France was no more than twenty kilogrammes. The amount in question could not have come from registered pharmacists or wholesalers. There was a possibility that the opium might have been obtained from looted stocks in Eastern Europe and smuggled into France. He would bring the statement made by the representative of the United States to the notice of the French authorities and keep him informed of the latest developments. His Government was greatly concerned over the matter.

The CHAIRMAN remarked that the cellophane containers in which the heroin was packed were identical with those seized on the John Ericsson.

Dr. SZE (China) made a statement regarding the Chinese Report (Chapter V for 1946 and the first six months of 1947) which his Government had not been able to submit for 1 July 1947. He wished particularly to report one case, the only one of international character. During the first session Major Coles (United Kingdom) had drawn his attention to the fact that large quantities of opium were being smuggled into Hongkong from the Kwantung Province. Representations had been made through the usual channels but had been delayed. As a result of his conversation the Chinese representative had himself notified the Central Committee for Opium Suppression for China. Officials were sent to the Kwantung Province and neighbouring districts to enquire into the allegations. They found five illicit plantations in five counties. The opium had been planted in October 1946. The plantations were destroyed and the owners were prosecuted.

/The civil

The civil and military authorities had been instructed to take adequate measures to prevent a recurrence of these offences and to report to headquarters periodically. His Government now hoped that there would be no further cause to complain.

Mr. ANSLINGER (United States) stated that the situation in Manchuria was better than it had ever been before and that Chinese officials had made great progress in controlling smuggling. The situation in Yunnan, however, was very bad. Large consignments were being sent by air and sea from Burma to Shanghai via Kuaming. There was still some smuggling into Korea: after 1 September 1947 all traffickers would be shot.

Major COLES (United Kingdom) thanked Dr. Sze for the information on the steps taken by the Chinese Government. He would communicate it to the authorities in Hongkong. He had a telegram from Hongkong stating that from January to June 1947 400 seizures totalling 8,275 taels and one or two small packets of prepared opium had been made. The largest seizure was of 366 pounds on a ship from India. He expressed some alarm concerning the situation in Yunnan; there were reports of a big opium crop and he was concerned that this might swell the illicit market in Hongkong. Some 500 pounds of opium had been captured from the Japanese when the British entered Hongkong and had been destroyed.

Dr. SZE (China) said that his Government was aware of the situation in Yunnan and that the Central authorities were concerned with what they felt was an unsatisfactory state of affairs. They were now reinforcing the inadequate steps taken by the local authorities. Kunming had become a centre of international air traffic and the long border between Yunnan and Burma was difficult to police. Negotiations were in progress between the United Kingdom and China. There was illicit traffic on both sides of the border and he was certain that both sides would continue to co-operate for its suppression.

The CHAIRMAN asked whether there had been any indications of heroin addiction since the departure of Japanese troops from occupied areas.

Dr. SZE (China) replied that he had no figures but believed there had been a dramatic decrease in heroin addiction.

This was confirmed by Mr. ANSLINGER.

Major COLES (United Kingdom) added that in Hongkong heroin addiction seemed to have completely disappeared since the British reoccupation.

#### 6. Codeine

Mr. ANSLINGER (United States) stated that there was little illicit traffic in codeine in the United States. No reports had been received.



## 7. Cocaine

The following countries had reported seizures: Turkey, three pounds; the Lebanon, 1,360 pounds, Canada, eight ounces; Korea, 4,293 pounds (confiscated by the United States Army); United States, one pound approximately; Cuba, considerable traffic, although no seizure reports; Sweden, fourteen ounces, of German origin; Trieste, considerable traffic of German manufacture; Egypt, thirty-nine pounds.

Dr. LABIB (Egypt) questioned this last figure since the official reports from Egypt showed only four seizures totalling one kilogramme in 1946 and the further seizure of one kilogramme between January and June 1947.

Mr. ANSLINGER (United States) stated that his data were based on three seizure reports made by the Egyptian Government. He asked if the Secretariat had information.

The CHAIRMAN requested the Secretariat to investigate Egyptian seizures and clarify the discrepancy.

Mr. ANSLINGER continued his report.

## 8. Cannabis

The heaviest flow of illicit traffic was in Palestine, the United States, and Egypt. 244 pounds had been seized in Palestine, originating from Syria and the Lebanon. 4,074 pounds of hashish had been seized in the Lebanon and vast areas of cannabis had been destroyed in Syria. 10,301 ounces of cannabis had been seized in the United States, most of it of Mexican origin. Thirty-six seizures had been made in Egypt, totalling 593 pounds and according to indications the goods were of Syrian origin. 351 pounds were seized in Turkey. A seizure of about six ounces had been made in Portuguese India. There had been considerable destruction of dagga in the Union of South Africa.

The CHAIRMAN asked if cannabis still presented a problem in the urban districts of the United States. In Canada, he said, there was practically no trouble with marihuana. Cannabis was the sole drug in respect of which the Canadian trend in illicit traffic differed from that of the United States.

Mr. ANSLINGER (United States) replied that the cannabis problem in the United States was decreasing.

Major COLES (United Kingdom) stated that he had reported the situation with respect to cannabis in the United Kingdom in document E/CN.7/W.12, but had some additional information. Seventeen seizures had been made in 1946 and twenty-seven in the first six months of 1947. This was a result of the courses of instruction given to customs and police officers to enable them more easily to recognize the drug. The immediate consequence was a rise in seizures in the ports.

The CHAIRMAN thanked the representative of the United States for his instructive report.

The meeting rose at 4.45 p.m.

ELEVENTH MEETING

Held on Thursday, 31 July 1947, at 10.30 a.m.

Chairman: Colonel C.H.L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland).

Continuation of the discussion of Item 6 of the Agenda: Illicit Traffic.

(Documents E/CN.7/W.1, E/CN.7/W.1/Corr.1, E/CN.7/W.2, E/CN.7/W.17, E/CN.7/W.18, E/CN.7/W.12, E/CN.7/W.10, E/CN.7/W.3 and printed, unnumbered document:

"Summary of Illicit Transactions and Seizures in the First Quarter of 1947").

Mr. ANSLINGER (United States) said that he had nothing to add to his statement of the day before on the illicit traffic in the United States.

DECISION: Document E/CN.7/W.1 was adopted.

The CHAIRMAN read the names of the countries printed in document E/CN.7/W.2 and asked if the representative of the United Kingdom wished to make any comments.

Major COLES (United Kingdom) replied that Chapter V of the annual report had been written before the investigation into the traffic in Indian hemp had taken place; this was communicated in a separate document.

Mr. ANSLINGER (United States) remarked on the large number of seizures effected on board ships at Liverpool and Southampton. He thought that the system, in force in the United States, of fining the master of the vessel might help to establish more effective control. If the master could show that he had used due diligence, this was taken into consideration and the sentence was reduced or even remitted. United States vessels were treated as severely as foreign ships.

The CHAIRMAN recalled that these fines used to be automatic and in proportion to the quantities seized; if the master could prove that he had carried out a proper search, the penalty was reduced. He asked if this was still the case.

Mr. ANSLINGER replied that a fine of fifty dollars on an ounce of heroin was automatic and payable immediately unless the master's previous record was good.

The CHAIRMAN suggested that while the sentences were more severe than in the past, they were still not sufficient to act as a deterrent. He referred to page 27 of E/CN.7/W.2 where it was reported that a Chinese carpenter had been fined only £25 for having thirty-eight pounds of prepared opium in his possession. This was a very small amount, equivalent to \$125, having regard to the extremely high price the opium would have obtained in the

/illicit



illicit market in the United States. Opium fetched \$4 in Calcutta, \$40 in Great Britain, and \$600 per lb. in the United States. The Canadian Government had found that the only deterrent was a minimum sentence of imprisonment for six months and a fine of \$200. He would like all governments to give serious consideration to the imposition of a minimum sentence. In most cases the fines were not paid by the offender, but by the syndicate for whom he was working; a prison sentence, however, would have to be served by the offender.

Major COLES pointed out that there was a tendency to increase the penalties. It was not possible, under existing British law, to impose minimum penalties. It was very doubtful whether the House of Commons could be persuaded to pass a Minimum Penalty Act, and by making direct representation to the courts his department would lay itself open to a charge of interference by the executive with the functions of the judiciary. Magistrates were led to understand the gravity of the traffic and there was now a greater tendency to impose imprisonment. Rummaging crews were now finding the drugs but not the owners. Heavier penalties had resulted in the owners of the drugs abandoning their property rather than risking arrest, and they could not always be traced.

Mr. ANSLINGER (United States) observed that a great deal of this traffic was directed to the United States. With the possible exception of the first case on page 28, he did not see a single jail sentence. He agreed that it was impossible to interfere with the judiciary. In the United States, however, the judiciary was not considered so sacrosanct. He had frequently explained to the judges the full meaning of this traffic and the need for rigorous punishment, otherwise the evil could grow unceasingly. The well-being of the country was affected. If his advice was not followed the press was notified and things took a turn for the better.

The CHAIRMAN appreciated the difficulty mentioned by Major Coles. A minimum sentence could not be imposed except by legislation and legislation depended on the force of public opinion. In Canada public opinion had been roused to the danger some twenty years ago when illicit traffic was very prevalent and Parliament changed the law to provide for a minimum penalty of fine and imprisonment. Another method also found useful was to appeal against inadequate sentences imposed by the courts. This had been done in a number of instances, notably in one case where the biggest trafficker on the Pacific Coast, whose transactions involved \$670,000 in one year, had been sentenced to four years imprisonment and a fine of \$1000. It was felt that if this man did not receive the maximum, it would constitute an unfortunate precedent and set a low standard of sentences for less important traffickers.

/On appeal

On appeal the sentence was increased to seven years and a fine of \$2000. Would it be possible to take up these angles with the chief constables in the United Kingdom? The drugs smuggled on ships were frequently landed by accomplices. Magistrates could in the course of court proceedings have pointed out to them the difference between a man having a few grains of opium for his own consumption and a large amount which was intended for the illicit market.

Major COLES (United Kingdom) pointed out that usually the offenders could not pay the fines and were sent to prison.

The CHAIRMAN interrupted the discussion at this point, to welcome the representative of India, Mr. Sattanathan, and the representative of the Union of Soviet Socialist Republics, Prof. Zakusov.

Mr. DELGORGE (Netherlands) made a brief statement giving particulars of the illicit traffic in his country. It was found that the traffic was increasing after World War II, just as it had done after World War I, owing, it was thought, to the presence of the Allied armies. Prices in the illicit market were fantastic. Raw opium was £30 a pound, nearly 700 guilders, at the black market rate. International co-operation had been resumed, although it had not yet reached its pre-war level. The Washington Bureau of Narcotics sent information and photographs of traffickers. There had only been one case of forged prescriptions. The Chinese Embassy at The Hague had warned of attempts by Chinese seamen to smuggle opium into the country, but there had been no evidence.

Mr. ANSLINGER commented on the small number of reports which had been received.

DECISION: Document E/CN.7/W.2 was adopted.

Document E/CN.7/W.17 was adopted subject to a remark by Mr. ANSLINGER that it was somewhat silent on the large opium seizures.

Document E/CN.7/W.18 was adopted.

The CHAIRMAN remarked that minimum sentences were laid down in the Cuban Act respecting drugs.

Document E/CN.7/W.12 - Illicit Traffic in Indian Hemp in Great Britain - was adopted.

Document E/CN.7/W.10 - containing photographs of narcotics seized in Great Britain - was examined and adopted, the CHAIRMAN commenting on the excellent reproduction work by the Secretariat.

Document E/CN.7/W.3 - Summary of Illicit Transactions and Seizures in 1946, Part II reports on the discovery of clandestine manufacture.

The CHAIRMAN remarked that fifty or sixty members of the internationally known "107th Street Mob" had been sent to the penitentiary. He drew attention to the large number of opium seizures in Bombay.

/Mr. ANSLINGER

Mr. ANSLINGER replied in the affirmative to the CHAIRMAN who asked if it was correct to assume that the large quantities of drugs seized in Japan had come from enemy headquarters and hospitals, and not from the illicit traffic. Mr. Anslinger referred to the large seizures mentioned on page 54, which were nearly all taken in factories. This opium had been converted into codeine for medical use.

The CHAIRMAN said that the reason for including seizures of drugs other than raw opium under that heading was not apparent to him. The Secretariat could, perhaps, find some more convenient method of presentation.

Mr. STEINIG (Director of the Division of Narcotic Drugs) pointed out that there was cross-reference to the other drugs at the end of each chapter.

Mr. ANSLINGER said that he would prefer to see more information as to the source and kind of opium. United States chemists were working on a method of chemical analysis for determining the origin of any unidentified opium. He had distributed a document which had been published on this subject. There were a number of indications determining the country of origin, for instance, general appearance, spectographic examination of the ash, microscopic and chemical examinations, the morphine assay, analysis for fats, gum and alkaloid content. There were alkaloids even in Mexican opium. He suggested that the document should be sent to the chemists of all the countries concerned to enable them to simplify the assays to determine whether the opium was of Persian, Mexican, or Turkish origin.

The CHAIRMAN agreed that this would be of great assistance to narcotic control officers. The average control officer did not have this special knowledge and was apt to ignore the necessity of reporting on the country of origin.

Mr. ARDALAN (Iran) remarked that in his country the production of opium would soon cease. When the drugs were seized and the origin could be determined the Iranian authorities could take the matter up directly with the country involved.

The CHAIRMAN pointed out that this procedure applied to the legitimate traffic in Canada. The order for opium was accompanied by a certificate stating the origin and the chemical composition of the opium.

Mr. ANSLINGER mentioned that this would be even more important after the limitation of production of raw materials.

There were no comments on the chapters dealing with the other drugs. In reading through the chapter "Miscellaneous" the CHAIRMAN mentioned the use of trained dogs in uncovering drugs.

DECISION: Document E/CN.7/W.3 was adopted.

Summary of Illicit Transactions and Seizures in the First Quarter of 1947.

(Printed; unnumbered document)

/The CHAIRMAN drew

The CHAIRMAN drew the attention of the members to a case in Canada where a sentence of imprisonment for five years and a fine of \$500 had been imposed on a man for having 2.89 grammes of opium in his possession, because he had a previous criminal record though not a narcotic one.

Mr. ANSLINGER asked if the representative of Egypt had any information respecting the origin of the large amounts of opium seized.

Dr. LABIB (Egypt) replied that although there was no definite evidence there was a supposition that the opium was of Turkish origin, en route to Egypt via Aleppo and Palestine. He admitted that raw opium could be smuggled, but prepared opium was presumed to be registered by the producers, so that it could be traced. If a licenced merchant found himself short of any quantity of prepared opium, he would be accused of illicit trafficking, unless he could produce his books as evidence of good faith.

The CHAIRMAN replied that such prepared opium was manufactured illegally. It was not registered by an honest firm. There were no book entries.

Mr. ANSLINGER confirmed that, with the exception of Siam and certain Indian states, prepared opium was an illegal operation from start to finish.

Dr. KIPER (Turkey) referring to the statement of the representative of Egypt, wished to know whether the opium seized there had been subjected to chemical analysis to determine the origin. Unless this had been done, no blame should be attached to any one country without positive proof. As stated, the drugs came through a number of other countries, Palestine, Syria, and the Lebanon, where control was not very strict.

Mr. ANSLINGER recalled that at the first session of the Commission, attention had been drawn to the very large amounts of opium seized during the last four to five years and found to be of Turkish origin. This applied also to opium seized in the United States during the war. Seizures of about 8000 pounds had been reported and perhaps the representative of Turkey could give some information as to where this opium was grown. He had no information respecting illicit production in Palestine or Syria.

Dr. KIPER (Turkey) said that he referred to the opium seized in Egypt and asked whether that had been examined by the official service of the United States. If that were the case, the representative of the United States must know the origin and there was no necessity for asking the representative of Egypt.

The CHAIRMAN interposed that it had been agreed that a chemical analysis would be of great value, but to say that without an official analysis nothing could be proved was a different matter.

/Mr. ANSLINGER (United States)

Mr. ANSLINGER (United States) suggested that the British and French representatives might be able to give some information about this opium with regard to Palestine and Syria, respectively.

Major COLES (United Kingdom) stated that there was no legitimate production of opium in Palestine nor was there any reason to believe that it was grown clandestinely. It was extremely unlikely that such large quantities could be grown clandestinely.

M. BOURGOIS (France) said that before the war opium had been cultivated in Syria and punitive expeditions had been sent to burn the crops. He had had no further information for many years.

Dr. LABIB (Egypt) remarked that when a likely substance was seized in Egypt it was analyzed to ascertain whether it was opium or not, but it was not examined for its origin. As regards this particular seizure the Egyptian Customs too had merely supposed that it was of Turkish origin.

The CHAIRMAN stated that the Commission at its last session had had no doubts but that enormous quantities of opium of Turkish origin had been seized in or en route to Egypt, and he felt sure that the representative of Turkey would impress upon his Government the necessity of ensuring that all the opium grown in Turkey was delivered to the Government monopoly.

The meeting rose at 1.00 p.m.



TWELFTH MEETING

Held on Thursday, 31 July 1947 at 2.30 p.m.

Chairman: Colonel C. H. L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland).

Continuation of the discussion of Item 6 of the Agenda: Illicit Traffic.

Summary of Illicit Transactions and Seizures in the First Quarter of 1947.

(Printed, unnumbered document)

The CHAIRMAN remarked that "brown" heroin of Mexican origin was found in the illicit traffic in Canada.

Mr. ANSLINGER (United States) asked the Commission to express its opinion on a policy with regard to narcotic drugs which had been declared war surplus by the armed forces and sent to other countries. These drugs were sold without export certificates and in his opinion the recipient countries should declare seizures and send in reports, since imports without import certificates were contrary to the provisions of the international Conventions. The Permanent Central Opium Board was very concerned by this situation, and asked governments if these exports could be considered as legitimate. As an example, he gave the tremendous quantity of medical supplies left in Okinawa which had been sold to China, and which had included many thousands of tubes of morphine. The United States Government had asked the Chinese Government to exercise control over these drugs and to submit a seizure report on the subject.

The CHAIRMAN expressed his concern about this important matter, and felt that the purpose of the Permanent Central Opium Board was being undermined when drugs were consigned without export or import certificates. Drugs in the possession of United States military hospital units had necessarily crossed many frontiers; this was a legitimate war-time procedure, but if the drugs, no longer needed by the hospital authorities, were allowed to leave the country without import or export licences treaty obligations were being ignored.

Mr. ANSLINGER (United States) stated that it was impracticable to sort out and return narcotic drugs to their country of origin; countries receiving medical supplies out of war surplus could declare any narcotic drugs as seizures under the stipulations of the Conventions.

The CHAIRMAN asked the Commission to make a vigorous statement which would strengthen the position of narcotic administrators and encourage international co-operation. The Permanent Central Opium Board would not be able to operate, nor would the Drug Supervisory Body be able to establish  
/estimates,



estimates, if they did not know the quantities of narcotic drugs already in the possession of the various countries.

Major COLES (United Kingdom), in reply to a question from the Chair, said that he felt both export and import certificates should be issued, and in their absence governments should issue seizure reports.

M. BOURGOIS (France) said a similar condition was prevalent in his country. Cocaine had been brought in by military authorities and the Red Cross, and had been left for the most part to hospitals. The Narcotics Bureau was establishing a statistical record of such drugs.

Dr. SZE (China) desired to deal in detail with the Okinawa case which was quite exceptional. Mr. Anslinger had failed to give all the particulars of a matter on which the Commission could not give a categorical decision without further consideration in view of its peculiar features. The case had been stated too simply. The Chairman had pointed to the possibility of drugs floating around in the recipient country. He would like to assure the Commission that no such situation existed in China. He felt sure that, when members had heard the history of this case, they would agree that the situation was under control.

On the conclusion of the war with Japan large stocks of supplies, including several thousand tons of medical supplies, were left in Okinawa by United States Army. The United States Government was naturally anxious to dispose of these stocks which were beginning to rot in the tropical climate. The Chinese Government, whose supplies were exhausted after ten years of war with Japan, was happy to buy - and he would repeat that word buy - these stocks. War-time conditions were prevailing and no inventory of these supplies had been made. The United States, in order to prevent the ruin of these goods, sold them in bulk and it was not realized at the time that they contained packages of narcotic drugs. This was quite natural after all, as these supplies were intended also for the treatment of the military and naval forces. As soon as the Chinese Government was aware that these supplies contained narcotics, it immediately confiscated all the medical supplies, amounting to several thousand tons, and instituted an inventory. These supplies contained also blood plasma. The blood plasma had naturally a certain sentimental value as it was the blood of American citizens donated for the American forces. The American public was informed that the blood of American citizens had been sold to China. This was really the starting point of the case. The Chinese Government at once took action with respect to this blood plasma. The firm which had purchased these supplies in good faith from the American Government had appealed against the confiscation. It recognized that the Chinese Government had a right to confiscate the narcotics, but the

/purchase

purchase was made in good faith and compensation was demanded. These were the essential points. He would be grateful to Mr. Anslinger if he would confirm this statement or make any necessary addition. The Chinese Government would make a report in due course. Full details were not yet known, but there would be no undue delay. He would beg the Commission to recognize that there was no justification for saying that the drugs were floating around, since they had been confiscated by the Chinese Government.

Mr. ANSLINGER (United States) said that Dr. Sze had stated the case accurately. The Government of the United States had received a list of drugs which had been impounded by the Chinese authorities. The real question was broader: What measures could be taken with regard to stocks sold or given in such circumstances, but without export and import certificates. The drugs should not be put into the legitimate trade without the certificates and the only way to control them would be by seizure reports. A similar situation had also arisen after World War I in respect of which seizures were still being considered in 1939.

Mr. DELGORGE (Netherlands) spoke of a similar situation in his country. The medical supplies of the armies and relief supplies dropped by air to the civilian population had often contained narcotics. When these supplies had come into government hands, they had been sold to licenced dealers. The lack of import certificates was due to war conditions. If governments included these drugs in their statistics and gave their origin and destination, the control would be adequate and there would be no need to make seizure reports.

Mr. ANSLINGER (United States) said that this case was not parallel with the one he had cited, and he was in agreement with the method employed by the Government of the Netherlands.

Dr. LABIB (Egypt) agreed that narcotics from war surplus must be seized, otherwise countries would receive drugs in excess of their quotas. Early in 1947 a firm in Egypt had bought UNRRA medical supplies. It had been allowed to keep the medical supplies, but the narcotics had been confiscated.

The CHAIRMAN said that the real problem was the sale of narcotic drugs which entailed sending them across frontiers after the cessation of hostilities. There might be a dangerous interval before inventories were made of the drugs involved in such sales.

Dr. SZE (China) agreed that the Commission should express a strong opinion to governments to make seizure reports in such cases. However, prevention would be better than cure, and any action taken should provide such means of prevention. Governments which intended to sell surplus war assets should take the necessary precautions to ensure that they did not  
/contain

contain narcotic drugs.

Mr. SATTANATHAN (India) stated that India had not encountered these difficulties. All military stores, including medical supplies from the British and United States Armies, when sold were subjected to the same customs formalities as if they had been imported into the country. A complete inventory had to be furnished and all the provisions of international Conventions on narcotic drugs would be automatically applied.

Mr. ANSLINGER (United States) said that he was in agreement with Dr. SZE's (China) proposal to issue a directive.

The CHAIRMAN said that there were two cases for consideration:

1. when a large quantity of supplies accumulated which could be absorbed into the economy of the country;
2. countries which could not absorb the excess supply and for which it would be necessary to sell these supplies to another country.

There should always be an import licence and inventory in these cases, in which the Permanent Central Opium Board had a vital interest as to the quantities involved. If the Commission approved, the Secretariat might be instructed to prepare an appropriate resolution to this effect.

DECISION: The Secretariat should prepare the resolution.

There was no further comment on the document, which was approved as a whole.

Mr. DEIGORGE (Netherlands) made a statement on developments in the Netherlands:

Recently, illicit traffic in narcotic drugs had been increasing. A marked traffic had developed between Germany and the Netherlands where narcotics had been bartered for such necessities of life as coffee and chocolate. There was reason to believe that smuggling was rife in the British occupation zone of Germany. Morphine was the drug usually seized, although occasionally cocaine was confiscated.

Several cases of small seizures were cited. Most of the reports concerning illicit traffic originated from the province of Twente (in the east) and Limburg (in the southeast). Little had been heard from Brabant (in the south).

One of the most important seizures was made on 29 January 1947, when twenty-two kilogrammes of raw opium were seized by the Amsterdam police, and on 4 March 1947, when they seized 1400 ampoules of morphine.

The Central Office came in contact with a woman addicted to morphine who, during the war, had lived in Sydney, Australia. While in Sydney, she became a member of a secret society through which she was able to

/obtain

obtain morphine illegally. After her return to the Netherlands, she was contacted by a drug trafficker, owing, it was believed, to her contact with the society in Sydney. Efforts to trace the unknown person were unsuccessful. The Central Office requested the Sydney police to make an investigation, but to date no information had been received.

At the request of the British military authorities in Germany, the Enschede police recently sought information regarding Carlos Fernandez Bacula, a notorious international trafficker, who apparently had resumed his old practice. The Central Office would not fail to make a report when more information was available.

This summary was presented to the Commission because the Netherlands Government was unable to submit its report in time for the Commission. The full reports were being translated now, and would shortly be transmitted to the Secretariat.

Summary of Illicit Transactions and Seizures in the Second Quarter of 1947. (Document E/CN.7/W.7)

Mr. STEINIG said that tables would be included in the final printed text of seizures for the first six months of 1947, which would show the total amounts of drugs received, for each drug and for each country separately, as soon as final information for 1946 had been received by the Secretariat.

Dr. RAMOS Y FLORES (Mexico) informed the Commission that his Government would forward the seizure report for January/June 1947 shortly.

DECISION: Document E/CN.7/W.7 was adopted as a whole.

The Saint-Tropez Case. (Document E/CN.7/W.8)

Trends of the Illicit Traffic in 1946. (Document E/CN.7/W.15)

The CHAIRMAN reminded the Commission that the case of smuggling aboard the Saint-Tropez had already been discussed, and suggested that this document could be adopted without further discussion. Since the representative of the United States had presented the trends in illicit traffic for 1946 on the previous day, and in such an able fashion, he felt that further discussion on document E/CN.7/W.15 would be unnecessary.

DECISION: Documents E/CN.7/W.8 and E/CN.7/W.15 were adopted.

Simplification of Procedure of Transmission by the Secretariat of Seizure Reports under Article 23 of the 1931 Convention. (Document E/CN.7/76)

Mr. STEINIG said that in the past several governments had found that the number of seizure reports transmitted under Article 23 of the 1931 Convention attained embarrassing proportions and that it was difficult to give them adequate study. The present method had been established by the League of Nations; in pre-war years the number of seizure reports had sometimes

/attained 450.



attained 450. In addition, quarterly summaries were issued. The Secretariat suggested that to simplify this procedure the Commission might desire to examine whether the provisions of Article 23 of the 1931 Convention could be considered fulfilled if the Secretary-General, instead of the seizure reports furnished by governments in accordance with the Article, were in the future to communicate to governments summaries of these reports every two months.

In each summary, statistical data would be included showing total quantities of drugs seized in various countries during the period to which the summary referred.

In each year the last summary would also contain statistical tables drawn up on the basis of the information published in the six summaries for that year and showing the total amounts of narcotic drugs seized during that year.

Should Chapter V - Illicit Traffic of the annual reports to be furnished by governments on or before 31 March of each year contain additional data affecting the totals shown in the last summary for a given year, modified totals would be communicated to governments in a supplement to that summary.

If the Commission agreed, governments would be informed accordingly by a special circular letter as soon as the Report on the work of the present session was approved by the Economic and Social Council. This procedure should result in economy in time, work, money, and convenience to the governments concerned.

The CHAIRMAN said that the Bureau of the Commission had discussed and approved this proposal. He felt that all references to the method and place of concealment of smuggled drugs should be included in these summaries.

Mr. DEIGORGE (Netherlands) agreed with the recommendation but he believed that a supplement to the summary would always be necessary. Governments were enjoined to "communicate to each other, through the Secretary-General of the United Nations ... particulars of each case of illicit traffic discovered by them which may be of importance either because of the quantities involved or because of the light thrown on the sources from which drugs are obtained from the illicit traffic or the methods employed by illicit traffickers". Nevertheless, Governments often sent reports on every seizure made.

The CHAIRMAN said the Secretariat must receive summaries on seizures, Chapter V of the annual report by 31 March.

Mr. STEINIG, suggested the wording of paragraph 3, page 3, should be changed to read "Chapter V of the annual report to be received by the Secretary-General on or before 31 March".

/DECISION:



DECISION: Document E/CN.7/76 approved as amended.

Mr. KRASOVEC (Yugoslavia) reserved his right to make observations on the trends in illicit traffic when he had received further information from his Government.

Mr. ARDALAN (Iran) said that the representative of the United States had proposed that smuggled opium should be submitted to chemical analysis in order to determine its origin, and he wished to propose a resolution to this effect.

The CHAIRMAN said that reference would be made to this in the Commission's Report to the Economic and Social Council.

Mr. ANSLINGER (United States) begged that these views should be strongly expressed in the Report. In fact, he foresaw that the Commission might wish to set up a committee of chemists to go into this matter.

The CHAIRMAN said he would make certain that the item would be placed on the agenda of the next session by which time the representatives would be able to express the points of view of their governments on the matter.

The meeting rose at 4.40 p.m.

/THIRTEENTH MEETING

THIRTEENTH MEETING

Held on Friday, 1 August 1947, at 10.30 a.m.

Chairman: Colonel C.H.L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland). Mr. Herbert L. May was also present.

Continuation of the discussion of Item 15 of the Agenda: Study of Measures to be taken with a view to bringing under international control Narcotic Drugs not covered by the Conventions at present in force. (Document E/CN.7/80/Rev.1)

The CHAIRMAN recalled the previous discussions on this subject and proposed the consideration of a new amendment to document E/CN.7/80 drafted by the representative of China.

He then read the document paragraph by paragraph.

Paragraph 1

Paragraph 1 was adopted without discussion.

Paragraph 2

Mr. DELGORGE (Netherlands) asked whether, in the event of a notification being received by the Secretariat well in advance of the next session of the Commission, the opinions of the members would be solicited by mail.

The CHAIRMAN's reply, substantiated by Dr. SZE (China), was that emergency measures would be considered only at the session of the Commission following the receipt of the notification, if a decision of the World Health Organization had not been received in the meantime. He suggested inserting the words "of the Commission" after "a recommendation" in the seventh line of paragraph 2, in order to clarify the wording.

Mr. STEINIG, in reply to a question by Mr. DELGORGE (Netherlands), stated in accordance with the new Protocol, the Secretary-General would have the right to transmit directly to governments a recommendation of the Commission.

Mr. DELGORGE (Netherlands) then asked whether the recommendation would have to be approved by the Economic and Social Council.

The CHAIRMAN replied that the machinery provided under paragraphs 1 and 2 precluded any delay. It was the most expeditious procedure in the circumstances.

Major COLES (United Kingdom) remarked that the Commission in almost every instance would have the opportunity of considering the notification and making a recommendation concerning the new drug before the World Health Organization had reached any decision, as it was unlikely that the dates of the sessions of the Commission and of the World Health Organization would be so far apart.

/The CHAIRMAN

The CHAIRMAN agreed and pointed out that the notification would have to be examined by the Narcotic Committee of the World Health Organization whose members lived at widely separated points; therefore a considerable time - perhaps as much as two years - might elapse before an opinion was received. The Commission consequently would have met at least once and possibly twice in the meantime.

DECISION: Paragraph 2 as amended was adopted.

Paragraph 3

Mr. MAY (President of the Permanent Central Opium Board) suggested that the findings of the World Health Organization as well as its decision should be included in its report.

The CHAIRMAN agreed, but pointed out that the suggestion was applicable to paragraph 4 rather than to paragraph 3.

Mr. DELGORGE asked why sub-groups (a) and (b) of Group I had been omitted, in the procedure outlined in paragraph 3.

Mr. STEINIG explained that all drugs covered by the 1931 Convention were drugs obtained from any of the phenanthrene alkaloids of opium or from the ecgonine alkaloids of the coca leaf, and gave the reasons why the 1931 Conference sub-divided these drugs into drugs in Group I, sub-group (a) and sub-group (b) and drugs in Group II. In Group I (a) were put the drugs concerning the liability of which to produce addiction there could be no doubt. Drugs such as thebaine which were themselves not liable to produce addiction but which were convertible into drugs capable of producing addiction and were hardly used in medical therapy were classified under Group I (b). Drugs which were not liable to produce drug addiction but were convertible into such drugs and were very extensively used in medical practice, such as codeine and dionine, were placed in Group II.

The 1931 Conference thus regarded the drugs in sub-group (b) of Group I as having the same characteristics as those in Group II; both were regarded as not capable of producing addiction, and both were regarded as convertible into drugs capable of producing addiction. If, despite these common characteristics, a distinction was drawn between drugs in sub-group (b) of Group I and drugs in Group II, it was made not on theoretical, but on practical administrative grounds, namely, as mentioned above, that the drugs in sub-group (b) of Group I were hardly used by the medical profession, whereas the drugs in Group II were very extensively used all over the world for medical purposes and that it would facilitate the task of national administrations in applying the provisions of the 1931 Convention if a Group II were created and if less stringent provisions were made for the drugs in that group.

/It was assumed

It was assumed that as far as the new synthetic drugs were concerned, the distinction made by the 1931 Conference for sub-division into drugs in Group I, sub-groups (a) and (b), was not necessary. Either they were liable to produce addiction, in which case they would fall under Group I, or they were convertible into drugs liable to produce addiction, and then they would fall under Group II. It should be pointed out that in Item I of the draft before the Commission reference was made to "drugs which are or may be used for medical purposes".

Mr. Steinig added that the draft instrument would be sent to Governments and to the World Health Organization for their consideration and advice, and that if it should be decided subsequently that a distinction should be drawn between drugs in Group I, sub-group (a) and those in sub-group (b), the necessary adjustments could be made before the new Protocol was submitted for signature.

M. BOURGOIS (France) requested that Mr. STEINIG's explanation should be reported in extenso in the minutes.

DECISION: Paragraph 3 was approved without further discussion.  
Paragraph 4

Mr. MAY suggested the insertion of the words "this finding and" after "United Nations shall notify".

Dr. SZE suggested that it was unnecessary to mention both finding and decision and offered the alternate phrasing: "shall notify any decision of the World Health Organization".

Major COLES understood that Mr. MAY wished the findings of the World Health Organization to be reported even if it did not favour control.

Mr. MAY found that the text included the words "finding", "decision", "recommendation" and "notification", all of which had different special meanings in this document, and should not be confused.

The CHAIRMAN remarked that if the finding were negative, there could be no decision. For this reason he suggested that Dr. SZE's amendment should be modified to read:

"The Secretary-General of the United Nations shall notify any finding or decision of the World Health Organization to all States Members of the United Nations and non-Member States Parties to the new instrument."

Major COLES asked whether the Commission would be informed of the reasons for the finding or decision of the World Health Organization. In the case of a negative decision the Commission and the governments concerned would wish to know the reasons.

The CHAIRMAN replied that in the event of a negative decision it was

/safe to assume

safe to assume that the World Health Organization would provide a detailed explanation.

Dr. SZE said that the wording proposed by the Chairman covered the situation. As a practical body the Commission merely desired an affirmative or negative reply. The reasons could always be obtained later.

DECISION: Paragraph 4 as amended was adopted without further discussion.

Paragraph 5

Mr. MAY proposed the following amendment:

"In the event of the Commission on Narcotic Drugs not having submitted a recommendation in accordance with paragraph 2 above before the finding or decision of the World Health Organization has been received, the Secretary-General shall delay such notification until such time as the Commission has submitted a recommendation."

Dr. SZE remarked that this amendment, with one exception, did not alter appreciably the sense of paragraph 5. The exception concerned the omission of the word "favourable"; what if the Commission submitted an unfavourable recommendation?

The CHAIRMAN thought there should be clarification of the words "favourable" and "unfavourable". In this respect the attitude of the members of the Commission might differ from that of the manufacturers. Speaking as the representative of Canada, he sought clarification of the reference to paragraph 2, which in his opinion had no connection with paragraph 5. It had been intended that the Commission should take interim action pending the decision of a scientific body in order to fill a possible void before the scientists gave a decision. But according to this paragraph the scientific body had given its decision; there was thus no need for delay.

Mr. ANSLINGER (United States) agreed, and saw no necessity for the inclusion of paragraph 5.

Dr. SZE emphasized the legal possibility, which might never occur in practice, that the Commission might not have met before the finding and decision of the World Health Organization had been received by the Secretary-General. Provision should be made for all possible eventualities.

After further discussion, Dr. LABIB (Egypt) proposed that paragraph 5 should be deleted.

DECISION: By a vote of nine to one with two abstentions, the proposal to delete paragraph 5 was adopted.

Paragraphs 6, 7, 8 and 9, which now became 5, 6, 7 and 8, were adopted without discussion.

Prof. ZAKUSOV (Union of Soviet Socialist Republics) stated that he had abstained from the voting on this document because he had arrived too late

/to hear



to hear the preliminary debates; he had not had time to study the documents which had not been available in Russian.

The CHAIRMAN sympathized with Prof. ZAKUSOV's difficulties and promised that mention of his abstention would be made in the records.

DECISION: The document as a whole was approved by all the members with the exception of Prof. Zakusov, who abstained from voting.

The Commission then considered the wording of the following resolution, introduced by Mr. Anslinger, conveying the document to the Economic and Social Council.

"COMMISSION ON NARCOTIC DRUGS

HAVING NOTED the urgent problem arising out of the development of new synthetic drugs capable of producing addiction, which are not covered by, and cannot at present be brought under the 1931 Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, and the serious dangers which may result if these drugs are not brought under control

HAVING RESOLVED that it is urgent to take action with respect to limiting the manufacture and controlling the distribution of these drugs  
CONSIDERING that this can best be effected by a new Protocol which would provide for bringing these drugs under the full international control of the 1931 Convention

APPROVES the Memorandum E/CN.7/80/Rev.1 prepared by the Secretariat on this matter including the outline of the provisions to be incorporated in a new Protocol, as decided by the Commission at its meetings on 25 July and 1 August

RECOMMENDS to the Economic and Social Council that the Secretariat should be instructed to prepare a draft Protocol in accordance with the Memorandum E/CN.7/80/Rev.1 and to circulate the draft to all governments concerned for their early observations, these observations to be considered by the Commission at its next session, with a view to the said Protocol being brought into force at the earliest possible moment."

Major COLES proposed that the word "regulating" should replace "controlling" in the second paragraph, so as to adhere to the wording of the 1931 Convention.

The CHAIRMAN confirmed that the document E/CN.7/80/Rev.1 mentioned in paragraph 4 of the resolution was the revision prepared by the Secretariat and amended by the representative of China. The resolution would refer to document E/CN.7/80/Rev.2 which would incorporate the additional amendments which had been approved at the present meeting.

Item 10 of the Agenda: Limitation of the Production of Raw Materials; Opium.  
(Document E/CN.7/W.4)

Mr. STEINIG explained that the Commission at its last session had authorized the Secretariat to prepare a questionnaire on the limitation of production and control of distribution of raw opium, which would be issued subject to the approval of the Economic and Social Council. The questionnaire had been prepared in the light of the views expressed at the time by the Commission; it had been submitted for the approval firstly of the Bureau of the Commission and secondly of the Economic and Social Council. On 28 March the Economic and Social Council had authorized the issuance of the questionnaire, which had been transmitted by the Secretary-General in a circular letter, dated 14 April 1947, to all governments concerned. It was requested that all governments should furnish replies on or before 15 August. At the present time twenty-four replies had been received, twenty-one of which were purely formal in character. Substantive replies had been received from the Governments of France, Switzerland and the United States of America; these would be summarized and transmitted to the members for consideration immediately after 15 August 1947.

It was interesting to note from the reply of the Swiss Government that during the war the manufacture of morphine from poppy straw had increased considerably. In one year the entire requirements of morphine in Switzerland had been manufactured from poppy straw and poppy capsules of the poppy raised in the country itself, the seed being used for domestic oil. This development was due to war-time difficulties in obtaining supplies, and in the opinion of the Swiss authorities was of a temporary nature.

A similar development might be noted with respect to France, where the poppy cultivation had been expanded during the war to produce seed and oil. In 1945, 826,517 kilogrammes of poppy straw had been used for the manufacture of morphine. The yield was 2002 kilogrammes or almost ninety-seven per cent of the total manufacture of morphine.

The reply from the United States had stressed that during the war the cultivation of poppy straw was authorized in certain parts of the country, notably California. Whether its cultivation was legal or not was a controversial question between this State and the Federal authorities. The highest court of the United States had decided in favour of the thesis of the Federal Government that the cultivation of the opium poppy should not be authorized except under certain conditions. There had been no manufacture of morphine from poppy straw in the United States.

In view of the date set for the replies and the request of the Commission that the President of the Permanent Central Opium Board should be

/asked

asked to furnish all information at his disposal concerning the production of opium, its use, export and the manufacture of morphine from poppy straw, the Permanent Central Opium Board, at the request of the Secretariat, had furnished a confidential document containing this information (E/CN.7/W.4).

Mr. STEINIG then briefly indicated the main items given in the various tables.

In Table A/B the most striking feature was the preponderance of N.R. - "No report received".

In India there had been a marked increase both in production and in export since the first two years under review. After reaching a peak in 1942 there had been a decline, but the figures had increased again in 1945 and 1946. Mr. Steinig thought that perhaps the representative of the United Kingdom could say whether the major part was exported to the United Kingdom for the manufacture of drugs.

Major COLES (United Kingdom) referred the subject to the representative of India.

As regards Iran, the only production figures reported had been those for 1939 and 1940. The export figures covered a wider period and varied considerably.

The next largest producer was Turkey; the amounts produced had declined steadily, though the exports varied radically.

No reports had been received from the Soviet Union since 1940. The country produced opium mainly for domestic purposes.

Mr. Steinig suggested that the tables on raw opium used in the manufacture of morphine could be studied by the members themselves. He drew attention only to France where, since 1940, there had been a real decline in the use of opium for the manufacture of morphine. In 1945 all morphine was made from poppy straw.

In the United States 80,000 kilogrammes of opium had been used in 1937 and this level had been approximately maintained until 1940; since 1943 there had been an increase, the amount in 1945 being 143,000 kilogrammes.

As regards raw opium used in the manufacture of prepared opium, there had been no reports after 1940 with the exception of Aden. The manufacture elsewhere in the Far East had declined owing to the abolition of the opium smoking monopolies. China had not sent in any figures since 1940.

As regards exports of raw opium, Mr. Steinig briefly outlined the more interesting developments.

India had exported opium to the United Kingdom from 1940 to 1946, the figures increasing the last years of that period.

Very few figures had been supplied after 1939 by Iran; exports had  
/been made

been made to manufacturing countries such as France, Germany, Italy, Japan, the Netherlands, Switzerland and the United Kingdom.

The next largest exports came from Turkey; exports to the United States and to the United Kingdom had been considerable. Whereas Turkey had exported 22,000 kilogrammes to the United States in 1947, the figure had increased to 124,000 kilogrammes for 1946.

No reports had been received from the Soviet Union since 1940; before that there had been some exports to European countries.

No reports had been received from Yugoslavia since 1941; before that the exports had almost entirely been to manufacturing countries.

The last table of statistics dealt with poppy straw used in the manufacture of morphine, in respect to which Mr. Steinig had already briefly mentioned France, Switzerland and the United States. This new material, not so long ago considered an agricultural waste product, was now being substituted for opium in ever-increasing quantities. Experimental production had taken place in Argentina, Australia and Chile. This also applied to Czechoslovakia for the years 1945-1946.

The figures for Germany for 1945-46 applied only to the American zone of occupation.

The figures from Hungary were very illuminating: although there were no reports after 1943, in that year Hungary manufactured 3,365 kilogrammes of morphine from 1,804,050 kilogrammes of poppy straw. This country had been the first in Europe to start large-scale manufacture of morphine from poppy straw.

In 1945 the Netherlands commenced manufacture on an experimental scale, producing ninety-two kilogrammes of morphine from poppy straw.

Mr. Steinig remarked that the question of the manufacture of morphine from poppy straw would have to be reconsidered when the replies to the questionnaire on opium and poppy straw had been received from the governments concerned. It was hoped that they would be received by the end of the year so that more ample information could be laid before the Commission at its next session.

~~The meeting rose at 1.00 p.m.~~

FOURTEENTH MEETING

Held on Friday, 1 August 1947, at 2:30 p.m.

Chairman: Colonel C.H.L. Sharman, C.M.G., C.B.E., I.S.O. (Canada).

Present: All the members except Dr. Tubiasz (Poland), Mr. Hubert L. May was also present.

Continuation of the discussion of Item 10 of the Agenda: Limitation of the production of raw materials: Opium. (Document E/C.N.7/W.4).

Mr. ARDALAN (Iran) apologized for the delay in sending his country's reports, and asked the source of the figures quoted on page 2 with regard to Iran, and also what the letter "f" signified.

Mr. STEINIG explained that the figures shown in the table prepared by the Secretariat of the Permanent Central Opium Board were official figures furnished by the Government of Iran to the Board. It might be that the footnote "f" shown at the bottom of the table referred to a quarterly return which was missing.

Mr. SATTANATHAN (India) stated that the policy of the Government of India for a long time had been to discourage the export of opium. In 1926 the Government had decided to prohibit it totally in ten years, and to curtail the cultivation of the opium poppy. At the beginning of the century more than 1,000,000 acres were under cultivation, and by 1939 only 20,000 acres remained. The Allied Authorities represented on the Eastern Group Council made demands on India for opium for the Allied countries in the East, and to meet these demands cultivation was expanded until about 40,000 acres were brought under cultivation. Since 1945 the cultivation had been steadily reduced, and in 1947 only about one-half of this area was under cultivation. In the next few years this area would be progressively reduced. The main exports after the war had been to the United Kingdom and to UNRRA in Italy. The policy of the Government on exports had been under revision; and its present policy was definitely to discourage cultivation except for medical use. The Indian Government was not interested in exporting opium for profit, and very little profit was actually made by the Central Government. The political changes now taking place in India would improve opium control. The Government as at present constituted possessed only limited control over the provinces which controlled distribution and consumption since there was no direct control over the States at all. Most of the States that were interested in opium cultivation would now adhere to the Dominion, and it was trusted would co-operate wholeheartedly in implementing the international obligations of the Indian Government, and therefore all fears that might be entertained with respect to the future opium policy in India would prove unfounded.

/The CHAIRMAN



The CHAIRMAN said that the document under reference was very valuable, and only regretted that so many countries had failed to send reports. He hoped that the representatives would ensure that there would be no more "NR's" since it was not possible for the Commission to perform its functions properly with incomplete information. Lack of information had made it difficult for the Director of the Division of Narcotic Drugs to present an informative picture, and a debt of gratitude was owed to the Permanent Central Opium Board.

The Indian statement was of the greatest interest to the Commission. Statistics must be carefully examined because accurate information would be necessary for the forthcoming Conference on the Limitation of Production. Burma was no longer part of India: there would be a different administrative status and territorial changes to be considered. The Permanent Central Opium Board would undoubtedly receive the full co-operation of India with respect to those territories where opium was grown, in order to make accurate comparative studies. He hoped that the example of the Indian Government would be followed.

Statistics regarding morphine derived from poppy straw introduced new factors. In some countries there had been large increases in production owing to the war. It would be of interest to observe if the pre-war upward trend would continue. The effect of synthetic drugs on the use of morphine for medicinal purposes might also result in the reduction of the cultivation of the opium poppy.

Mr. ANSLINGER (United States) agreed that this was an excellent document, but unfortunately it only gave a general idea of the problem, as the Commission had only twenty-five per cent of the information needed. In 1938-39, the Secretariat of the League of Nations had arrived at a world figure for the total medical needs in terms of raw opium: 350-400 tons, not including prepared opium. Circumstances had now changed radically. The figure for prepared opium had decreased and the medical needs for derivatives of raw opium had increased. The use of codeine for example had doubled in many countries. The United States was even somewhat concerned to know if it would be able to purchase enough raw opium for medical purposes for 1947. It would be helpful if the Secretariat could develop a figure for world medical needs in the light of the present world situation. This would help to contrast the need for raw opium production with the influence of synthetic drugs and morphine prepared from poppy straw.

Mr. STEINIG said that the Secretariat depended on governments and the Permanent Central Opium Board to furnish statistics. It would prepare a statement on the legitimate world requirements, as suggested by the representative of the United States, as soon as the complete data were available, with regard to (1) the amount of opium produced, (2) the amount of opium exported to drug manufacturing countries, (3) the quantity of drugs manufactured from this opium, (4) the total world consumption and total world medical requirements of morphine and its derivatives.

/There were two

There were two new factors to consider:

1. the use of poppy straw in manufacturing morphine and
2. the extent to which synthetic drugs were being substituted for morphine.

Before the war the average yearly legitimate need for opium amounted to a amount 400,000 kilogrammes, from which about 40,000 kilogrammes of morphine were manufactured. About seventy-five per cent (30,000 kilogrammes) was used for conversion into codeine and diionine which left 10,000 kilogrammes of morphine as such. In 1937, 1,800 kilogrammes were manufactured from poppy straw, and in 1946 an estimated 10,300 kilogrammes of morphine were manufactured from this source. This alone was enough to supply the total need of morphine in pre-war years. Caution was needed as to the effect which the use of synthetic drugs might have on the use of opium and opium alkaloids. The commission had been informed that synthetic drugs were good substitutes for morphine, but there were so far no synthetic substitutes for codeine. Codeine would still have to be manufactured from morphine or extracted from opium or poppy straw. World needs for opium would be affected by the use of synthetic drugs only in as much as these drugs replaced morphine.

The CHAIRMAN, speaking as the Canadian representative, pointed out that morphine was not manufactured in Canada. He asked the President of the Permanent Central Opium Board to check with its Secretariat why Canada had been listed as a manufacturing country. The eleven kilogrammes of opium shown on the chart were used by Canada to prepare a tablet called "total opium alkaloids", in which nothing was added to the alkaloids of the opium.

Mr. MAY (President of the Permanent Central Opium Board) promised to look into the matter.

DECISION: Document E/C.N.7/W.4 was approved.

Item 10 of the Agenda: Limitation of the Production of Raw Materials: Coca Leaves. (Document E/C.N.7/73).

Mr. STEINIG said that in accordance with the decision of the Commission at its first session and the resolution of the Economic and Social Council which had authorized in advance the distribution and communication to governments of a questionnaire on the limitation of the production and the control of the distribution of the coca leaf (subject to the approval of the Commission), the document E/C.N.7/73 was presented for the Commission's consideration. The document was in two parts, (1) the information on the subject available to the Secretariat, and (2) the questionnaire itself.

The CHAIRMAN asked for comments and pointed to the statistical information contained in Part I of the questionnaire (page 16), and Part II, "General Description of the Industry and the Problem of Crop Substitution".

M. BUEGOIS (France) asked if the coca shrub grew wild, how it was

/distributed and if

distributed and if it was utilized in its wild state.

Dr. LAZARTE (Peru) stated that it did grow wild, but that it was used only for internal consumption and chewing and purposes which could not be controlled. The Peruvian Government was only concerned with the areas under cultivation.

In reply to a question by the CHAIRMAN, Dr. LAZARTE congratulated the Secretariat on such a comprehensive and clear report which covered all the possible aspects of the coca leaf question. It would be advantageous to send an official Spanish translation to governments. He would be happy to assist in every way possible.

Mr. KRASOVEC (Yugoslavia) asked to what extent the work of the future commission of enquiry to Peru would be assisted, or even covered, by full and complete answers to this questionnaire.

Dr. LAZARTE (Peru) said that complete answers could hardly be expected and that the enquiry would help to provide the missing information. It was for this reason that the United Nations had been asked for assistance.

DECISION: Document E/CN.7/73 was approved.

Item 12 of the Agenda: Abolition of Opium Smoking in the Far East.  
(Document E/CN.7/74).

Mr. ANSLINGER (United States) thought that the Commission might be interested to learn of recent measures taken in Siam to suppress opium smoking by Chinese. 30 June 1947, was the date fixed for the prohibition of opium smoking by young and middle-aged Chinese. A later date was fixed for addicts over fifty years of age. Rigorous measures would be taken against delinquents, including possible deportation to China and the forfeiture of protection and privileges. In spite of these measures the Siamese Government expected to realize 98,736,000 bahts (\$987,000) from its opium monopoly in the current fiscal year. This was slightly more than fourteen per cent of the estimated revenue. It was to be hoped that the Siamese Government would take similar action to that taken by the United Kingdom, France, the Netherlands and Portugal with regard to the suppression of opium smoking. For the past two years, the Government of the United States had been in communication with Siam on this subject.

Major COLES (United Kingdom) presented the following results of the total prohibition in the Colonies of the United Kingdom where this policy was applied. Malayan Union. There had been 346 admissions of opium addicts to the hospital in the past twelve months, and no reports of serious deprivation symptoms had been received. There was a little smuggling from Siam. There was no evidence of former opium addicts taking to other drugs.

North Borneo. Good results were reported with no cases of opium smoking and no patients with withdrawal symptoms. Smuggling was rare.

Sarawak. Considerable illicit traffic had taken place. The sources were

/thought to be:

thought to be:

1. supplies left by the Japanese before their surrender, and
2. quantities smuggled from Netherlands territory. Very few addicts had received hospital treatment.

Hong Kong. The opium traffic had increased slightly due to the lack of control in producing countries, but it was still below the pre-war level. The quantity of opium smoked had decreased, although the number of addicts remained the same. The large crop in Yunnan caused concern.

Singapore. More than 14,000 addicts were reported in the territory; of these more than 1,000 had been questioned and had produced pre-war registration cards. They complained of the poor quality of the opium and the difficulty they had in obtaining it, sometimes having to resort to dross or even second dross. The Government stocks had been looted before the Japanese invasion, and it was feared that some of these stocks were still hidden away. Ships suspected of smuggling came for most part from the Persian Gulf and India, and small packages were often thrown overboard in the Malaccan Straits where they were picked up by small craft.

Major COLES (United Kingdom) felt that the Commission would agree that progress had not been unsatisfactory.

M. BOURGOIS (France) stated that an order was issued in Indo-China on 12 June 1946 under Article 1 of which the free sale of opium by the Monopoly was prohibited. Article 2 prohibited public places of sale and divans. Article 3 provided that the Customs and Government Monopoly Administration should not sell opium except for medicinal purposes. Article 4 provided that a commission under the chairmanship of the Public Health Commissioner was the sole authority competent to authorize the opening of clinics where opium addicts could follow disintoxication cures under the control of a medical practitioner, and the opening of disintoxication offices where opium addicts could procure, on showing a medical certificate, the opium necessary for their progressive disintoxication. The customs authorities would be responsible for supervising the destination of the opium supplied to the clinics and disintoxication offices. The police and customs authorities were carrying on an active campaign against smuggling, divans, and the like. The disintoxication clinics were under strict supervision and a number were closed for inspection purposes. The price of opium was increased from 2,500 piastres a kilo in 1945 to 10,500 and 18,300 piastres.

Dr. SZE (China) was gratified by reports on the improved conditions in the Far East. China would continue to follow these measures with interest.

Mr. DELGORGE (Netherlands) said that his Government had curtailed all use of opium except for medical purposes. Some hardship had been caused through the non-provision of centres for disintoxication of addicts. Opium could still be

obtained by illegal means, and police control was not very strict. It could be assumed that in territories where Netherlands authority was not exercised, opium was still sold openly. In Bali the sale of opium had been continued for some time, but the quantities allowed to addicts had been decreased until 1 April 1947, after which date the sale had been definitely stopped. The Chinese inhabitants in Java continued to ask for the re-establishment of the monopoly. No illicit prepared opium from abroad had been found.

Mr. SATTANATHAN (India) said that the problem in India was similar to that described by the representative of the Netherlands. Opium smoking had never been common in India, and in two provinces it was already banned. In November 1946 the Government decreed the total prohibition of opium smoking, although great administrative difficulties were apprehended in implementing the decree. The States and Provinces were co-operating in making this policy a success, and no violations had been noted so far.

Mr. DEIGORGE (Netherlands) suggested that the title of document E/CN.7/74 should be "The Abolition of Legal Opium Smoking in the Far East."

Mr. ANSLINGER (United States) felt that the question should remain on the agenda until all legal opium smoking had disappeared.

DECISION: Document E/CN.7/74 was approved.

Item 13 of the Agenda: Non-Medical Use of Opium.

The CHAIRMAN said that the Commission had discussed the limitation of opium production to legitimate medical and scientific needs and the abolition of legal opium smoking, but that there was a hiatus owing to the lack of information concerning the quantities of opium used in other ways, i.e. consumed by eating, injections, in coffee and tobacco, and otherwise.

Mr. ANSLINGER (United States) said that there had been a health survey in British India in 1943 and the outcome had been a report recommending a gradual reduction in the quantity of drugs available to addicts with a view to the eventual cessation of the consumption within fifteen years.

Mr. SATTANATHAN (India) pointed out that the practice in India was to eat and not smoke opium. Opium was eaten by the poor classes as a sedative and a medicament. The Government had been reluctant to take measures to suppress this practice in view of the fact that medical facilities in many parts of rural India were practically non-existent. It would take some time for the health and medical plans of India's post-war scheme to be implemented, and until then the need for a tried household remedy of which opium was an ingredient, could not be minimized. The drug was taken in small quantities and the Indian Government had felt that it would be impolitic, and perhaps even not humane, to stop this practice, until adequate medical services were made available to the poor population. Nevertheless, the Government had chosen as its policy to discourage opium eating and steps would be taken to put this into effect. This would

/automatically be preceded



automatically be preceded by a curtailment of cultivation, and, in this connection, he added that India had already started manufacturing medicinal opium and opium alkaloids. The average quantity of opium eaten per capita was below the limit set by the League of Nations.

The CHAIRMAN thanked the representative of India for his interesting statement.

The meeting rose at 4.50 p.m.

FIFTEENTH MEETING

Held on Monday, 4 August 1947, at 10.30 a.m.

Chairman: Colonel C.H.L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland) and Dr. Sze (China) who was replaced by Dr. Chang-Yui Shu. Mr. Herbert L. May was also present.

Mr. ARDALAN (Iran) gave the Commission some figures which he had just received from his Government covering the production, consumption and export of opium in his country during the ten years from 1937 to 1946.

	<u>Production</u>	<u>Consumption</u>	<u>Export</u>
	kg	kg	kg
1937	521,697	273,000	239,184
1938	704,451	269,000	475,830
1939	672,048	300,000	132,432
1940	789,885	307,000	135,387
1941	761,460	263,000	124,600
1942	10,201*	211,000	105,512
1943	215,276	122,000	9,368
1944	131,016	66,000	16,805
1945	183,000	64,000	- - -
1946	515,460	- - -	- - -

Commenting on these figures he stated that from 1943 onwards smokers had to obtain licences and the number of licences issued were as follows:

1943:	102,846
1944:	95,559
1945:	76,211

If one took the year 1940, the per capita consumption of opium was 5 grammes, and the total consumption being 307,000 kilos, the number of smokers would be 170,000, but fortunately the number of licences issued in 1945 had dropped considerably and this confirmed that many had stopped smoking. He regretted that he could not furnish the names of countries to which exports had been made; concerning Siam, he had cabled to his Government for the information requested by the Commission and was hopeful that he might receive a reply before the close of the present session.

He added that he had no figures covering the manufacture of morphine and

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\* He expressed doubt concerning production figures for 1942.

prepared opium.

He stressed once again the economic sacrifice which the pending law prohibiting the production of opium would impose on his country, and hoped that if necessary economic assistance would be forthcoming. His Government also trusted that all other States would help in preventing the smuggling of opium into Iran, and that the Commission, by some international document, would bind the producing countries to prevent the smuggling of opium into the interior of Iran.

The CHAIRMAN thanked the Iranian representative for his statement and said that the statistics would appear in the minutes.

Continuation of the discussion of Item 11 of the Agenda: Coca Leaf: Request by the Government of Peru for a Field Survey. (Draft document to be presented to the Economic and Social Council with the Resolution thereon)

Mr. STEINIG explained that the Secretariat had drawn up a draft document summarizing the previous discussion and the decisions taken by the Commission at its earlier meetings. If approved, it was proposed that this document should be submitted to the Economic and Social Council at its present session as an interim report of the Commission.

The CHAIRMAN proposed that, commencing with page 2, the document might be considered paragraph by paragraph.

Dr. LAZARTE (Peru) noticing that document E/399 was mentioned in paragraph 2, page 2, wondered whether it had been distributed to the members of the Commission.

Mr. STEINIG replied that the document contained the resolutions of the Economic and Social Council regarding narcotic drugs which had approved the resolutions taken by this Commission at its first session. He then read aloud the resolution to which the passage referred.

The CHAIRMAN proposed that the following words should be inserted in line 4 of paragraph 1, page 3, after the words "effects of":

"The chewing of the coca leaf on the population and of the limitation of the production of coca leaves in industry, agriculture, and labour."

DECISION: Paragraph 1, page 3, as amended, was adopted.

Major COLES (United Kingdom) remarked that paragraph 6 was too restrictive and suggested that the words "and other interests concerned" should be added.

The CHAIRMAN agreed, but proposed that instead the word "as" in the first line should be replaced by the words "among other".

Dr. LAZARTE (Peru) recalled that it had been proposed in a previous discussion that national groups of experts should be available to assist the commission of enquiry and wondered why this point had been omitted from the draft document under discussion. Stressing the value of such local groups he

/proposed

proposed that some mention be made of them in the Commission's report.

The CHAIRMAN agreed, but suggested that it would be more appropriate to carry forward this proposal to the next paragraph.

DECISION: Paragraph 6, page 3, as amended, was adopted.

Major COLES, acting upon Dr. LAZARTE's proposal, suggested that the following words be added to paragraph 7:

"But recommends that study groups be formed in such countries to investigate the problem locally and co-operate with the commission of enquiry."

Dr. LAZARTE expressed his approval of this amendment.

DECISION: Paragraph 7, page 3, as amended, was adopted.

At the CHAIRMAN's suggestion the words "of the Chairman" in paragraph 8, line 3, were amended to read "of a Chairman".

After a brief discussion the Commission decided to omit the first clause of paragraph 1, page 4, and to amend the remainder of the paragraph to read as follows:

"The Commission requests that the Council shall also determine the procedure which, as a United Nations commission of enquiry set up by the Economic and Social Council, this Commission should follow for submission of its report to the Council."

M. BOURGOIS (France) thought that it might be desirable if the Secretariat were to expand the scope of the data which it was to gather so as to include not only medical and other scientific data but also cultural and economic information. He pointed out that in paragraph 2, page 2, in particular, the Commission envisaged the possibility of combining the enquiry proposed by the Government of Peru with an enquiry on the spot into the possibility of limiting the production and regulating the distribution of coca leaves.

Mr. STEINIG explained that document E/339 which was mentioned in paragraph 2, page 2, referred to the resolution of the Economic and Social Council concerning the urgency of the limitation of raw materials and also to the decision of the Council to issue a questionnaire which the Commission had previously approved. If the Commission desired to express this point more explicitly, in accordance with the suggestion of the representative of France, he suggested that the last paragraph might read as follows:

"The Commission thought that it might facilitate the work of the Commission of enquiry if the Secretariat would collect (1) all the available medical and other scientific data bearing on the effects of the chewing of coca leaves and to that effect instructed the Secretariat to seek in particular the co-operation of the World Health Organization; (2) all the available

/data relating

data relating to the production and consumption of and the trade in coca leaves."

The CHAIRMAN asked whether this would meet with M. BOURGOIS's approval.

Stressing that the enumeration would have a limiting effect, M. BOURGOIS suggested that the words "and further aspects of the problem" should be added to the amended text. In urging this further amendment he emphasized that he wished in no way to prejudge the Economic and Social Council's decision regarding the scope of the commission of enquiry as outlined in paragraph 2, page 22.

Prof. ZAKUSOV (Union of Soviet Socialist Republics) understood that questionnaires would be sent by the Secretary-General to the countries concerned. On the other hand, not all the South American countries in question had requested that a commission of enquiry should be sent. In such circumstances it did not seem necessary to him to send a commission. In the light of previous experience the work of such commissions had not always proved effective.

Mr. STEINIG explained the dual aspect of the problem. No questionnaire in connection with the request of the Peruvian Government had been prepared by the Secretariat. The questionnaire which had been sent out dealt only with the limitation of production and control of distribution of the coca leaf, but previous experience had demonstrated that documentary evidence was seldom as satisfactory as an on-the-spot enquiry. He pointed out that if it were decided that the habit of chewing coca leaves was harmful, it was in the international as well as national interest to limit the production, since large quantities of these leaves had been exported from one country to another both for chewing purposes and for the manufacture of cocaine.

Referring to Prof. Zakusov's remarks, Mr. Steinig pointed out that the success would depend upon the acceptance of the principle of the enquiry by the countries concerned. Although the Commission was of the opinion that it was not necessary for all the countries to accept, obviously the enquiry would be undertaken only in those countries which had accepted and had invited the Commission to enter their territory.

The CHAIRMAN emphasized that the Economic and Social Council would decide the method by which the co-operation of the other countries in question would be obtained. Two of the countries were at present represented on the Economic and Social Council, and no doubt the Council would invite representatives of the other four countries to participate in the discussion. It might then be ascertained whether and to what extent the commission of enquiry might expect co-operation from these countries.

M. BOURGOIS recalled that in the past commissions had always been sent out at the request of the country which they were to visit and suggested that paragraph 2 on page 2 might be modified in this sense. He added that in his

/opinion



opinion the word "enquiry" was not the best one; he would prefer "study group", or the like.

Mr. STEINIG thought that the English text as it stood met M. Bourgois' first objection.

M. BOURGOIS objected that in this wording the initiative remained with the Commission rather than with the countries in which the Commission was to work.

Prof. ZAKUSOV was in agreement with the suggestion of the representative of France. He desired that his opinion should be recorded as follows: There was no need for the commission of enquiry: (1) it had been established by scientific enquiry that the effects of cocaine, and therefore of the coca leaves, were harmful in whatever form they were introduced into the body; in any case the effect was not positively healthy effect; (2) the limitation of production of raw materials and of trade in this field was covered by the questionnaire which the Commission had just approved.

Dr. LAZARTE, in reply to the representative of the Soviet Union, stated that there was considerable controversy as to whether the chewing of coca leaves was harmful. He added that if it were decided that this habit was harmful, the Commission would investigate the psychological causes behind it, since there was always a psychological reason for drug addiction, and consider measures to suppress it. So far as the international aspect was concerned, considerable data were still lacking and the commission of enquiry might assist the countries in question in the collection of this information.

M. BOURGOIS (France) repeated his observations on the word "enquête", a word which, in French, had a deprecatory sense not shared by the corresponding word "enquiry" in English. Nevertheless, since the representative of Peru had himself used the word, he would not press the point.

DECISION: Paragraph 2, page 4, as amended, was adopted.

Mr. KRASOVEC (Yugoslavia) considered the French delegate's remarks most pertinent.

In answer to a question by the Soviet Union representative, the CHAIRMAN confirmed that his remarks would be included in the minutes.

Mr. STEINIG announced that the budgetary aspects of the enquiry were still under consideration by the Secretariat; he hoped that the estimates would be ready by the time the Commission considered its report to the Council. He was still unable to say whether the Economic and Social Council would consider this question during its present session. In the opinion of the Secretariat, it might be desirable for the Government which had taken the initiative to submit the question to the Council. If the Council agreed to consider this matter, the interim report would have to be accompanied by a statement by the Secretary-General indicating the necessary expenditure for such a commission.

/The Secretariat,

The Secretariat, on preparing such an estimate, was handicapped by not knowing the number of countries to be visited, the number of members for which provision was to be made, and the length of time necessary for the enquiry. It might be desirable, therefore, simply to calculate the expenditure required to maintain one member for one month, in which case after the Council had made the necessary substantive decisions the full expenditure could be determined by a few multiplications.

Dr. LAZARTE (Peru), on behalf of his Government, thanked the Commission as a whole for the careful attention which it had given to the request. He then introduced the following resolution:

THE COMMISSION ON NARCOTIC DRUGS;

RECOGNIZING the importance of the request of the Government of Peru to determine with the least possible delay the effects, whether harmful or otherwise, of the chewing of the coca leaf in certain regions of South America,

HAVING considered the report appended hereto on this question,  
DECIDES,

TO APPROVE the said report and to submit it to the Economic and Social Council with the recommendation that the Council should approve the principle of the despatch of a Commission of enquiry in accordance with the suggestions contained in the said report.

The CHAIRMAN suggested that line 2 of the last paragraph of the resolution should be amended to read as follows: ". . . that the Council should approve in principle the despatch. . ."

Mr. KRASOVEC (Yugoslavia) noted that the resolution differed from the report. In its present form he would be compelled to vote against it, whereas, if it were amended in accordance with the suggestion of the representative of France, he would abstain from the vote.

The CHAIRMAN said that he assumed M. Bourgois wanted to emphasize the need for co-operation with other countries.

Mr. KRASOVEC remarked that the French recommendation did not concern co-operation but the consent of the Government concerned as to the entry of the commission into their territories.

M. BOURGOIS emphasized once again that each country on its own initiative should invite the commission of enquiry.

The CHAIRMAN suggested that the following clause should be added at the end of the resolution:

". . .to Peru and such others of the countries concerned as may give their approval".

/M. BOURGOIS

M. BOURGOIS objected to the word "approval" stating that there was a difference in shading between "approval" and "request".

The CHAIRMAN read his amendment as follows: ". . . to Peru and such others of the countries concerned as may request such an enquiry".

DECISION: The resolution was approved by ten votes. The representatives of Yugoslavia and the Netherlands abstained. The representative of the Union of Soviet Socialist Republics voted against the resolution.

Prof. ZAKUSOV remarked that it was usual, in instances where countries requested technical assistance, for them to bear the expenses entailed. If this procedure were followed in this instance he would have no objection in principle.

The CHAIRMAN replied that the responsibility for the expense rested with the Economic and Social Council, as would also the final decision as to whether the commission of enquiry was to be sent. He observed that the members of the Economic and Social Council would have an opportunity to read the remarks of the representative of the Soviet Union.

Mr. ANSLINGER (United States) pointed out that on several occasions the Government of Bolivia had made efforts to restrict the production and use of the coca leaf; therefore it might be assumed that the Bolivian Government would welcome such an enquiry. Bolivian exports were sent to Argentina for the almost exclusive use of 50,000 Bolivian workers in northern Argentina. For this reason the Argentine Government might also welcome such an enquiry. In conclusion, he knew that the attitude of the Colombian Government was favourable; therefore, four of the six countries would probably participate in the investigation.

Item 16 of the Agenda: Amendment of Article 19 of the 1925 Convention

(Unnumbered memorandum prepared by the Secretariat; Part I: "Nature of Powers and Functions of the Permanent Central Opium Board")

The CHAIRMAN observed that the Board's duties might be expanded in the near future in connection with the control of narcotic drugs in Japan and also in regard to any new convention on the limitation of the production of raw materials. The 1925 and 1931 Conventions had set up the Permanent Central Opium Board and the Supervisory Body, and it would be highly undesirable to form a third control body; the whole trend would be towards integration of duties and the Permanent Central Opium Board could have additional duties.

Mr. MAY (President of the Permanent Central Opium Board) agreed with the CHAIRMAN's statement.

Mr. DELGORGE (Netherlands) drew attention to paragraph 1, page 2, stating that the French and English texts did not agree. The English text read "or that there is a danger", while the French text read "so that there is a danger".

/The CHAIRMAN

The CHAIRMAN replied that a footnote to the document giving the English text could be appended.

Prof. ZAKUSOV remarked that the use of the word "Opium" in the name of the Board seemed rather strange, in view of the fact that other drugs were included in the scope of the Board's work.

The CHAIRMAN said that the name had been established by treaty; but in the treaty, under Article 19, it said "The Permanent Central Board shall be appointed". In the future, therefore, the word "Opium" would be omitted.

DECISION: The first part of the document was approved without further discussion.

The meeting rose at 12.45 p.m.

SIXTEENTH MEETING

Held on Monday, 4 August 1947, at 2.30 p.m.

Chairman: Colonel C.H.L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland) and Dr. Sze (China) who was replaced by Dr. Chang-Yui Shu and Dr. Hsiu Cha.

Mr. Herbert L. May was also present.

Continuation of the discussion of Item 16 of the Agenda: Amendment of Article 19 of the 1925 Convention. (Unnumbered memorandum prepared by the Secretariat; Part II: "The Principle of Technical Competence and Judicial Independence").

Mr. STEINIG said that the opinion was often expressed that the Permanent Central Board was an organ of the United Nations. This was not correct; the Permanent Central Board had been created by a special international convention, the Geneva Convention of 1925, which had conferred upon it certain functions of a judicial and semi-judicial character. The Board was to be technically independent of any organization, group of governments or single government. He hoped that Part II of the memorandum brought this point out clearly. Wherever the 1925 or 1931 Conventions (amended by the Protocol of 11 December 1946) referred to organs of the United Nations such as the Secretary-General or the Economic and Social Council, or to the World Health Organization, it was understood that they were organs which, under the Conventions, had special functions to fulfill in the interest of all Parties to these Conventions, whether Members of the United Nations or not.

Part III: "Interpretation of paragraph 2 of Article 19 of the 1925 Convention by the Council of the League of Nations."

Mr. DELGORGE (Netherlands) said that he found it difficult to understand the distinction between nominees to the Board and members of the Board. Would it, he asked, be necessary for a candidate to guarantee his eventual resignation, since an official on leave of absence would still be a government employee?

Mr. STEINIG in reply to a question from Mr. ANSLINGER (United States) said that the Secretariat had examined thoroughly the proceedings of the Council of the League of Nations pertaining to the appointment of members to the Permanent Central Board.

Mr. DELGORGE (Netherlands) said that it was desirable that Government officials should be eligible to the Board. He asked the opinion of the Commission on the interpretation of whether Government officials must or must not be excluded from membership on the Board under the wording of the Convention. During the last session of the Commission on Narcotic Drugs, it was felt desirable to include a member from the Union of Soviet Socialist Republics. At that time, it was pointed out by the representative of the Soviet Union that

/everyone in his



everyone in his country was in a position of dependence on the Government. It was over this matter that the question arose, and he felt that the question could be solved successfully if for instance a Russian national dependent upon his Government could be appointed. He believed that the phrase "direct dependence" did not exclude all Government officials, and that when a member of the Board attended a meeting he did not need to be in direct dependence on his Government. That was the attitude of his Government.

Mr. KRASOVEC (Yugoslavia) believed that all members of the Commission considered the condition of paragraph 19 as to the independence not realistic. From the practical standpoint he considered that the interpretation given by the Secretariat was appropriate. Candidates probably ought to have been at one time in the service of their governments, otherwise they would not have had the administrative experience. Whether they had resigned immediately before their nomination or a long time previously, really amounted to the same thing. Candidates with government experience met the requirements for membership of the Permanent Central Board. Many of the members of the Secretariat of the United Nations had been in the employ of their governments.

Mr. ARDALAN (Iran) said that this was certainly true with respect to his country, when opium was a government monopoly. Few people other than those in the narcotic administration of their governments would have sufficient interest or experience in narcotic control. It was unfair to require a government official to resign from his post in order to accept membership on the Permanent Central Board. He could take leave of absence for two years.

The CHAIRMAN referred to the suggestion in the document that members of the Board should receive remuneration. He pointed out that, owing to changed conditions with high income taxes, it would be difficult to obtain candidates of the high calibre required by merely paying their travelling expenses.

Mr. ANSLINGER (United States) said that even if a government official took leave of absence from his government post while a member of the Board, he would have to continue to meet his every-day and family expenses. He felt that this problem could be solved if the members could receive a salary from the United Nations. This would remove them from direct dependence on their governments.

The CHAIRMAN cited the example of the International Court of Justice whose members came from many countries, received salaries and were completely independent of their governments. He was not suggesting salaries on the same scale.

Major COLES (United Kingdom) held that it was just as essential now as it had been when the Convention was drawn up that the members of the Permanent Central Board should be impartial and independent. It would be fatal to the

/success

success of the scheme if the members represented any interest whatsoever, whether government or trade. Changed conditions in the world made it increasingly difficult, if not impossible, to find men who would have the required qualifications without giving them remuneration. It seemed to him unlikely that government officials of high seniority would resign from governmental service and thus forfeit their accrued rights. Even if they received salaries, it would not compensate them for what they had to relinquish by way of pension and other rights.

The matter of leave of absence was also difficult because a government would have to be prepared to lose a man with great experience for a long period. He would still be in the service of his government, and then there would be the problem of his domestic responsibilities.

He believed that the solution would be for a candidate to be selected entirely for his personal qualifications representing no one but himself. In Great Britain there had been cases where a man was appointed to a committee, not as a representative of his Government, but purely in his personal capacity.

The CHAIRMAN pointed out that the suggestion of the representative of the United Kingdom would necessitate an amendment to the Convention. A high official going to the Board would have to leave his service at the most profitable period of his career. It would most materially affect his retirement prospects, he might forfeit his pension and find himself faced by insuperable difficulties. In any case, he thought that an amendment to the Convention would be inevitable in such circumstances.

Dr. KIPER (Turkey) agreed with the suggestion of the representative of the United Kingdom which was true as regards Turkey. He could not see the distinction between taking a long leave or short leave for the duration of the various sessions, since any government official would probably rejoin his government.

Dr. LABIB (Egypt) said that it would be possible to find good government officials who would be willing to resign in order to accept membership on the Permanent Central Board. This was true in the case of the International Court.

Mr. DEIGORGE (Netherlands) did not think that the situation was similar to that of the International Court. The Court gave full-time employment. This was not the case in the Permanent Central Board. He referred the Commission to Article 16 of the Statute of the International Court of Justice.

Mr. SATTANATHAN (India) stated that the intent was to obtain men of the highest qualifications, in which case no limitation should be placed on the discretion of governments nominating persons to the Permanent Central Board. Any government would give leave of absence to an official for three to four months a year, but might be unwilling to grant leave for a period so long as five years. The Board should represent the growing and manufacturing countries  
/and should continue

and should continue to be a representative body. If these officers were officers having no dependence on their countries, were appointed particularly on their personal qualifications, this body would not be different from any branch of the United Nations Secretariat.

The CHAIRMAN pointed out that the term of five years was stated in the Convention, and could be changed only by an amendment, and that a shorter term would be undesirable because it would take some time for new members to gain experience in the work of the Board.

Mr. DELGORGE (Netherlands) said that any increased expense for the United Nations should be avoided.

The CHAIRMAN put the following motion to the Committee:

"This Commission is of the opinion that the provision of Article 19, paragraph 5 of the 1925 Convention is fulfilled if a candidate who at the time of appointment to the Permanent Central Opium Board, was in a position of direct dependence on his government will, following his appointment, not hold such position for the duration of his **membership** on the Board."

DECISION: The motion was adopted by nine votes to four.

The CHAIRMAN said that there must be a clear understanding on points (i) and (ii) on page 12, which read as follows: "(i) that following his appointment he ceases temporarily, i.e., for the duration of his membership of the PCB, to exercise his functions as an official of the government (by taking, for instance, leave of absence), and (ii) that while exercising his powers and functions as a member of the Board he will not act under the instructions of his government". Was it to be understood that these points referred to a member's actual time on the Board, or to the full term of appointment - five years? If the latter was the correct interpretation, it might prevent a member of the Permanent Central Board from serving as a member of this Commission, or as an adviser to his Government at meetings such as the Economic and Social Council or the General Assembly. The Commission must be clear on this point.

Mr. MAY (President of the Permanent Central Board) said that in contrast to the Supervisory Body which had questions to answer frequently between meetings, members of the Permanent Central Board usually had to give opinions only at the meetings of the Board, with the exception of the President, who was obliged to give his opinion much more frequently.

Mr. DELGORGE (Netherlands) said that he thought it had been decided that a member of the Permanent Central Board must resign from Government employ.

The CHAIRMAN said that the point under consideration was whether a member of the Permanent Central Board could act as advisor of the Economic and Social Council or be a member of the Commission on Narcotic Drugs.

/Mr. DELGORGE

Mr. DELGORGE (Netherlands) said that in his opinion this would be possible.

Mr. MAY (President of the Permanent Central Board) wondered if, within the meaning of Article 5, a delegate to the Commission on Narcotic Drugs necessarily "held an office" except for the duration of the session of the Commission.

Major COLES (United Kingdom) agreed with Mr. Delgorge. He felt that (ii) meant that the member should not be under instructions from his Government during meetings of the Permanent Central Board.

Mr. STEINIG said that the Economic and Social Council had asked the Secretary-General to initiate studies on the amendment of Article 19, and the President of the Economic and Social Council had said that the Council would wish to have the advice and the opinion of the Commission on Narcotic Drugs on this subject. The Secretariat had studied with great care the records of the 1925 Conference, and the procedure of the League of Nations since the inception of the Board, and it had concluded that the League's interpretation was too severe and had excluded otherwise suitable candidates from membership on the Board. The new interpretation suggested by the Secretariat, namely that a member of the Board, on acceptance of his appointment to the Board, must not exercise any function which put him in a position of direct dependence on his Government and at no time take office or act under his Government's instructions during his five-year term on the Board, offered certain advantages:

While, under the League procedure, for instance, an official nearing the age of retirement would not have been appointed, under the new interpretation this would be possible. He would receive a pension from his Government and in addition, as suggested in the Secretariat memorandum, might receive some remuneration from the United Nations. If the Commission felt that the conditions laid down in paragraph 5 of Article 19 had been fulfilled if a government official did not take instructions from his Government only during sessions of the Board, this would be going far beyond the interpretation suggested in the Secretariat's memorandum and an amendment of the Article in question would be necessary. He felt also that it would be impossible for a man to serve intermittently on the Commission on Narcotic Drugs while a member of the Permanent Central Board. Such a man might easily find himself in the position of being judge and party in a case involving the Board. The Secretariat had proposed the broadest possible interpretation; to go beyond it would necessitate an amendment to Article 19 of the 1925 Convention.

Mr. MAY (President of the Permanent Central Board) pointed out that the membership of the Board was far from being composed entirely of ex-government officials. The functions of the Permanent Central Board were specific and  
/limited,



limited, and were concerned largely with determining whether governments were fulfilling their obligations under the 1925 and 1931 Conventions, and with imposing sanctions in certain cases of non-fulfillment.

The CHAIRMAN said that, as Canadian representative, he could not understand how a member of the Permanent Central Board could act as a member of the Commission. The presence of the President of the Permanent Central Board provided the necessary machinery if decisions concerning the Board were discussed by the Commission. However, he saw no objection to the members of the Permanent Central Board acting as advisers to their Governments at meetings of the Economic and Social Council or of the General Assembly as they would not be accepting instructions from their Governments.

Mr. DELGORGÉ (Netherlands) said that neither he nor his Government had ever thought of this question, and he apologized for his presence at the Commission.

The CHAIRMAN reassured him of the impersonality of the discussion, and asked the Commission to vote on two points:

1. Could a member of the Permanent Central Board represent his country on the Commission on Narcotic Drugs while functioning on the Permanent Central Board?

DECISION: The Commission decided that he could do so by seven votes to four.

2. Could a member of the Permanent Central Board act as adviser to his Government at meetings of the Economic and Social Council and of the General Assembly?

DECISION: The Commission decided that he could do so by eleven votes to two.

The CHAIRMAN said that the remainder of the report concerning the amendment of the 1925 Convention need not be considered, as the Commission had voted for the re-interpretation of paragraph 5 of Article 19.

He proposed to discuss the question of remuneration, and to submit a recommendation to the Economic and Social Council quoting the text taken from the Second Opium Conference:

".....It cannot be expected that it will be possible to obtain the services as members of the Board of persons who possess the qualifications necessary and who will be willing to give the amount of time which the work of the Board will require unless they receive a remuneration for their services. This remuneration will necessarily be at a high rate if men of the first class are to be secured, but, on the other hand, they will not be required to give the whole of their time, or even a large part of their time, to the work of the Board....."

/Mr. DELGORGÉ



Mr. DELGORGE (Netherlands) said that in the past the Board had functioned successfully without remuneration of its members.

Mr. MAY (President of the Permanent Central Board) said that he felt that it was improper for him to express an opinion, but evidently in the future the conditions of the Permanent Central Board might change. In reply to the CHAIRMAN, he said he did not feel there would be undue difficulty in renewing the Permanent Central Board. Some sixteen nominations had already been received under the rule that there would be no remuneration. If the work increased greatly, some members might feel obliged to resign.

Mr. ANSLINGER (United States) said that it was asking too much to expect members of the Permanent Central Board to work for three to four months for nothing, and a great deal of good talent might be lost in this way.

Mr. STEINIG said that he had been struck by the similarity in the opinions expressed by the Commission and those expressed at the Second Opium Conference in 1925. Remuneration might increase the number of candidates available for appointment to the Board.

In former times the expenses of the Permanent Central Board had not been borne exclusively by the League of Nations but, for example, the United States, although not a Member of the League, had made an annual contribution towards the expenses of the Board. All Parties to the Conventions should share the cost of implementing them, and in this case only a relatively small sum would be involved, since fifty-six countries were Party to the 1925 Convention and sixty-six to the 1931 Convention.

M. BOURGOIS (France) said that the work of the Permanent Central Board had been so enlarged that it was necessary to give a special allowance to members of the Board. The President at least should receive a special indemnity. He asked if there was any precedent for this in the League of Nations.

Mr. STEINIG replied that he believed the President of the Mandates Commission had received remuneration but that other Presidents of Commissions and Committees had not been paid.

Mr. MAY (President of the Permanent Central Board) said that for his part so long as he was President he would never wish for more than the honour. He wished at this point to call attention to a situation where members of the Permanent Central Board and the Supervisory Body were not entitled to receive the privileges and immunities accorded to officials and employees of and delegates to the United Nations, as the members were neither officials nor employees of nor delegates to the United Nations. He would like to ask the Secretariat to add a sentence to this effect, and he took the opportunity of congratulating it on the memorandum, which was one of the most remarkable documents produced by the Secretariat.

/M. BOURGOIS

M. BOURGOIS (France) associated himself with this tribute.

DECISION: The Commission approved the addition of a sentence asking that privileges and immunities of the United Nations should be granted to members of the Permanent Central Board.

Major COLES (United Kingdom) asked if the remuneration would be given for the actual days in session or as an annual salary.

The CHAIRMAN said that an annual honorarium had been suggested with deductions for sessions not attended. He asked the Commission to recommend that "effect be given to the proposals approved by the Second Opium Conference with regard to an appropriate remuneration to the members of the Board for services rendered as members of the Board". [Secretariat Memorandum, page 15]

DECISION: The recommendation was adopted by twelve votes.

DECISION: The document as a whole was adopted as amended in light of the discussions, to be annexed to the report of the Commission on Narcotic Drugs to the Economic and Social Council as a reply to its request for advice on the amendment of paragraph 5 of Article 19.

The meeting rose at 5.15 p.m.

SEVENTEENTH MEETING

Held on Tuesday, 5 August 1947, at 10.30 a.m.

Chairman: Colonel C. H. L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland).

Mr. Herbert L. May was also present.

Mr. SATTANATHAN (India) commented on certain statements which had been made in connection with the illicit traffic in India by members of the Commission prior to his arrival. He thanked the representative of the United States for his compliment in connection with the work of the customs authorities in reducing the unauthorized export of opium and agreed that the extent of this traffic indicated that the control machinery could be improved. The problems which his country faced might be better understood if he outlined the organization of the country.

The Central Government of India was primarily concerned with the production of opium and its distribution to the various States and Provinces in accordance with ascertained requirements. The actual sale and consumption was controlled by the Provincial and State Governments. As far as the Governments of the various Indian States were concerned, the Central Government had, by negotiation, prevailed upon them to adopt measures similar to those in the Provinces under the control of the Government of British India.

The cultivation of opium was confined to a few notified areas, every cultivator being licenced. The yield varied from village to village and district to district and it was very difficult to state what the cultivator could obtain from an acre of poppy plants. Government officers supervised the operations and all the poppy juice was supposed to be surrendered to the opium department; but in view of the imperfect knowledge of the amount of juice extracted, it was not always possible to be sure that the cultivators did surrender all the juice in their possession. The departmental officers had rough and ready methods for guidance, but the cultivator could easily secrete small quantities. The Government was trying to improve methods of crop survey and control in order to eliminate this leakage into the illicit traffic.

The position of the Indian States was similar, but the control there of the Central Government was slender; the States considered the matter to be one of domestic interest. With the coming into force of the new constitution, in as far as the Indian States that would become integral parts of the Dominion of India were concerned, it was hoped to improve the control over production and disposal in these States. He added that most of the

/opium

opium producing States and all the importing States were expected to join the Indian Dominion.

Although the machinery for detecting smuggling had been fairly satisfactory before the war, it had broken down under the strain of war conditions. The smugglers had been able to obtain supplies from military convoys. The smugglers had, of course, taken advantage of the relaxation in control, and revived smuggling on a larger scale after the termination of the war.

He added that in order to co-ordinate the machinery for collection information and for checking the illicit traffic, his Government was establishing two bodies; one, the All-India Narcotics Board, in which the Indian States producing and selling opium would be represented, for, without the complete co-operation of the Indian States, smuggling could not be eradicated. This Board would be invested with powers to regulate the cultivation, distribution and sale of opium and take measures for the suppression of illicit traffic. In addition to the Narcotics Board - which had not yet been set up - there had been established the Central Investigation Bureau, designed primarily to co-ordinate information regarding smuggling activities. This Bureau had already done good work, some of the recent large seizures being the result of its efforts. When these two bodies were in full co-operation, control over illicit traffic would be greatly strengthened.

He concluded by referring to the minutes of the Sixth Meeting concerning the identification of opium. He warned that the presence of government stamps on seized opium did not necessarily indicate that the opium had been manufactured by the government concerned. In several instances control officers had discovered stamping machinery in the possession of smugglers who employed counterfeit rubber stamps to mislead investigation.

The CHAIRMAN said that the Commission had heard the statement of the representative of India with great interest and hoped that the efforts of the new bodies would be attended by full success.

Item 14 of the Agenda - Drug Addiction

Mr. STEINIG reported that on 28 March 1947 the Economic and Social Council had authorized the Secretary-General to communicate to governments a questionnaire on the attitude of governments regarding drug addicts. This questionnaire had been transmitted to governments on 23 April 1947 with the request that replies should be furnished not later than 1 August. Up to the present time there had been eleven replies, eight of which (Haiti, Iran, the United Kingdom, Greece, the United States, Austria, Honduras and Brazil) contained substantive information. These replies, together with those received subsequently, would be summarized and submitted to the members of the

/Commission.

Commission.

Dr. KIPER (Turkey) gave a brief outline of the measures taken in Turkey to control and suppress drug addiction. Addicts apprehended by police authorities were sent to the Office of Legal Medicine and, if convicted by the court, were placed in mental institutions for not less than six months or until cured. It was not lawful for doctors to prescribe narcotic drugs for more than three days' needs; all prescriptions were retained by the pharmacist. Moreover, doctors were not allowed to keep a stock of narcotic drugs in their consultation rooms or dispensaries. The penalty for issuing false prescriptions varied between LT.100 and LT.1000 in addition to imprisonment for not less than one year. Smugglers were fined on conviction LT.1 for each gramme found in their possession, with a minimum fine of LT.500 and were sentenced to between one and five years' imprisonment; if it could be proved that their traffic had produced new addicts or any other harmful pathological effects, their term of imprisonment would be increased up to ten years. In the case of medical personnel abusing their authority by issuing false prescriptions, the fine and imprisonment were increased by fifty per cent; they were also suspended temporarily from the register. The number of drug addicts apprehended in 1946 amounted to 142; two were addicted to morphine, fifteen to hashish, nine to opium and the rest to heroin. Drug addiction, however, had never been a real problem in Turkey.

Mr. ANSLINGER (United States) wondered if the representative of Iran could give him any information regarding certain sensational reports which he had received from the Anti-Opium Society of that country. Several months ago that society had published an estimate that 100,000 adults and 50,000 children died annually from opium poisoning; this was a very difficult statement to believe. He added that according to the Anti-Opium Society several tons of opium had been appropriated from government stocks for the purpose of manufacturing anti-opium tablets. This practice, which had been applied many years before in China, had been condemned at that time as unsound.

Mr. ARDALAN (Iran) replied that he had no information on this subject, but recalled the figures which he had quoted the previous day. The figures for 1945 had shown a reduction of forty per cent over those for the peak year of 1942. He explained that it was very unusual for a child to take opium. Since the cultivation of opium was now prohibited and smoking was forbidden, opium might only be obtained through the illicit traffic. The police were even authorized to enter private houses and confiscate any narcotics found. The Ministry of Health was taking all measures to cure addicts and favourable results were being obtained. The Bill now before

/Parliament



Parliament contained a paragraph to the effect that anyone found smoking opium in the future would be sentenced to death.

M. BOURGOIS (France) requested the Secretariat to prepare for the next session a memorandum on anti-opium societies, their publications and an analysis of the sensational news items contained therein. He wondered if the Commission could establish connection with these societies.

The CHAIRMAN approved a request by the representative of the United States that the measures taken by Iran to suppress the opium traffic should be noted with satisfaction in the Commission's report.

Major COLES (United Kingdom) read a summary of an article entitled "Pethidine Addiction" by Dr. P. Polonio, which had appeared in "The Lancet" of 3 May 1947, describing the clinical observations of fifteen cases of pethidine addiction from which the conclusion was drawn that owing to quicker habituation and more serious intoxication, pethidine might well be a more dangerous drug than morphine.

Mr. ANSLINGER asked the Secretariat to distribute an extract from the Journal of the American Medical Association, which concluded that the same precautions should be observed in the use of demerol (pethidine) as with opium drugs.

Dr. SZE (China) observed that the Government of China had placed demerol on its list of narcotic drugs.

The CHAIRMAN remarked that so far as Canada was concerned, this drug was not allowed into the country until it had been placed on the scheduled list of narcotics. There had been many cases of addiction to demerol. He proceeded to give some instances of its habit-forming properties. Reputable physicians, misled by the claims that had been attributed to this drug, had prescribed demerol for various ailments, and after increasing the doses their patients had become addicts and in several instances had had to be committed to mental institutions. A doctor had reported that a woman claiming to suffer from trauma of the kidneys, had asked him to relieve the pain by prescribing demerol, stating she had lost her prescription. Afterward the doctor realized that the woman was an addict. Another doctor who had formerly been addicted to cocaine was discovered to have filled out unnecessary prescriptions for demerol. Many of these medical practitioners had been struck off the medical register.

An article in the Canadian Medical Journal written by a physician of the Royal Victoria Hospital in Montreal had recommended that demerol be not supplied to out-patients as it was desirable that demerol should be taken under the immediate supervision of the attending physician.

At the last general discussion on addiction it had been agreed by  
/narcotic officers,

narcotic officers, medical practitioners and psychiatrists that addicts could be sub-divided into three classes: (1) those suffering from cancer and other serious diseases, for whom doctors might prescribe all the narcotics they needed for relief; (2) those engaged in the liberal professions who occupied good positions; very considerable success had been achieved in curing these persons permanently. In Canada, over 150 physicians had been cured permanently, and by permanent he meant that there had been no relapse for at least two years, and in some cases up to twelve years; (3) criminal addicts who, by reason of their associations, did not offer an opportunity for reformation. In ninety-five per cent of these cases the addict had been convicted of previous non-narcotic offences.

Dr. LAZARTE (Peru) reported that since the time of the first session of the Commission he had observed many addicts. He pointed out that in his opinion one of the most remarkable features of the personality of the criminal addict was his tendency to induce others to become addicts and even to provide drugs for that purpose. He thought that it was desirable that governments should make provisions to confine such individuals in institutions.

The CHAIRMAN agreed with the remarks of the representative of Peru and added that such addicts derived real pleasure from inducing others to follow the same vice; in this way they increased the number of their potential sources of supply. A criminal addict was no more useful to the community than a case of smallpox.

Dr. RAMOS Y RAMOS (Mexico) stated that:

"the drugs most commonly used by drug addicts in his country are marihuana and morphine, and, in particular, marihuana. This problem, in general, presents the three following aspects: legal, medical, and social. I have already spoken about the legal aspect, mentioning the strict prohibition which is prescribed by our laws concerning the use of these substances. There exists at the same time a special legislation on drug addiction which provides sanctions and treatment for drug addicts. The Secretary of Health and Public Welfare has, for the past ten years, been exercising an absolute control over the prescription of drugs and the handling of doctors' prescriptions in which drugs are mentioned.

"With regard to the medical aspect, the treatment of drug addicts is compulsory in the Federal Hospital, which was established for this purpose, authorizing at the same time treatment in private clinics as long as these clinics fulfill the special requirements established by the health authorities.

/"With respect

"With respect to the social aspect, marihuana is used mostly by the lower classes, and, unfortunately, is beginning to spread among some sections of our working class, among others, miners, and metallurgical workers. This problem, together with its bearing on criminology, has been the subject of studies undertaken by our authorities, and I expect to be able to submit to you the result of their work at the next session of this Commission".

Mr. KRASOVEC (Yugoslavia) asked whether the Secretariat or any of his colleagues had information concerning reports that there was a great increase in drug addiction in Greece, which had been brought about by the very low cost of opium in that country.

In reply, the CHAIRMAN said that the Secretariat had no information on ~~this~~ matter.

Mr. KRASOVEC explained that he was neither competent nor authorized to report officially on conditions in Greece. Nevertheless, he had learned unofficially from members of the Balkan Commission that opium smoking had become prevalent in Greece, and particularly among young men. He recommended that additional information of an official nature should be solicited. According to the information in his possession, one kilogramme of bread and a small quantity of opium cost the same, namely 2000 drachmae. He was surprised at the lack of official information if conditions in Greece were as described.

Mr. STEINIG observed that the Government of Greece in its reply to the questionnaire concerning drug addiction had stated, as requested, the provisions embodied in the Greek law on ~~this~~ matter; it gave no figures as to the extent of addiction in relation to the total population, the questionnaire under consideration not calling for such information. If the additional information referred to by the representative of Yugoslavia was desired, the minutes of this meeting might be forwarded to the Government of Greece with the request for such data.

In reply to a question by the Chairman, Mr. KRASOVEC agreed to this procedure, which was adopted by the Commission without further discussion.

Mr. ANSLINGER (United States) referred to the clandestine production of opium in Mexico and stated that from thirty to forty tons of opium would be available to the illicit traffic in 1947. This would result, if unchecked, in a serious increase in drug addiction. He therefore proposed the following resolution:

"THE COMMISSION ON NARCOTIC DRUGS

HAVING taken note during its examination of the international illicit traffic of reports that there is an enormous clandestine production of opium in Mexico; and

/CONSIDERING

CONSIDERING that the escape of contraband opium from Mexico into the illicit traffic is a source of danger to other countries;

REQUESTS the Economic and Social Council to recommend that the Government of Mexico take appropriate measures, in fulfillment of its international obligations under the narcotic conventions, to suppress the illicit cultivation of opium."

The CHAIRMAN suggested that, since the representative of Mexico was not in his seat, it would be desirable to postpone discussion of this resolution until his return.

Dr. LABIB (Egypt) stated that drug addiction in Egypt was confined chiefly to opium and Indian hemp. The white drugs were very rarely used. He felt that the Commission should take some action against the illicit traffic which was directed against Egypt from Syria and the Lebanon.

The CHAIRMAN suggested that appropriate reference should be made in the minutes to the remarks of the representative of Egypt and that the minutes might then be transmitted to the Governments of Syria and the Lebanon.

The representative of Egypt agreed.

Mr. MAY (President of the Permanent Central Board) asked what had happened to the large number of heroin addicts in Egypt.

The representative of Egypt replied that, as far as he was aware, there were very few heroin and cocaine addicts in his country at the present time.

The CHAIRMAN remarked that Mr. May had raised a very interesting point and invited Dr. Labib, if he could find it possible to do so, to inform the Commission at its next session whether these addicts had terminated their addiction or had taken to other drugs.

Dr. LABIB, in reply, said he would investigate the problem. Owing to the severe penalties now imposed, he was certain there was no appreciable addiction to cocaine and heroin.

Prof. ZAKUSOV (Union of Soviet Socialist Republics) drew the attention of the Commission to Clark's manual on pharmacology in which it was stated that, out of eleven million persons in Egypt, 500,000 were addicted to heroin. He found it difficult to reconcile this statement with that of the representative of Egypt.

Dr. LABIB answered that only one kilogramme of heroin had been seized in both 1946 and 1947. During the war no heroin or cocaine had entered Egypt, although some had been pilfered from the Allied stores.

Mr. ANSLINGER, referring to the large seizures of opium in Egypt during 1946 and 1947, wondered how this opium was being consumed.

Dr. LABIB reported that 2,439 kilogrammes of opium had been seized in 1946 and 1,472 kilogrammes in the first six months of 1947. In Egypt opium  
/was eaten,

was eaten, not smoked.

The representative of Mexico having returned, the CHAIRMAN proposed that the Commission should now discuss Mr. Anslinger's resolution.

Dr. LAZARTE, while expressing his approval of the resolution, recalled that the representative of Mexico had made an extensive statement during the previous session on the measures which the Mexican Government had taken to suppress the illicit traffic and destroy the poppy fields. The aid of the army and air force had been enlisted in this work. He wondered if the representative of the United States could outline any further measures which the Government of Mexico might take.

The CHAIRMAN reminded the Commission that the number of crops destroyed out of the 4,500 fields observed was only a very small fraction. The harvest had now been completed and it might be anticipated that there would be a substantial illicit export of the drug.

Mr. ANSLINGER pointed out that the representative of Peru had been absent when he made his statement and added that he would be glad to furnish him with a copy.

DECISION: The resolution was adopted without further discussion.  
Item 17 of the agenda: Control of Narcotics in Japan. (Documents E/CN.7/W.6, E/CN.7/W.16 and E/AC.7/4)

Mr. LOGAN (Assistant-Director of the Division of Narcotic Drugs) read the following memorandum prepared by the Secretariat:

COMMISSION ON NARCOTIC DRUGS

SECOND SESSION

Control of Narcotics in Japan

(Item 17 of the Provisional Agenda)

"During its first session [held in November 1946] the Commission on Narcotic Drugs gave careful attention to the problem of the future control of narcotic drugs in Japan. It was noted that the United States Military Government in Japan had found unquestionable evidence of wilful violation of treaty obligations by the Japanese Government as well as false and fraudulent reports to the Permanent Central Board.

"A Special Ad Hoc Committee was appointed by the Commission to study proposals placed before it with a view to preventing Japan from again becoming a centre of the illicit traffic. Two alternative plans\* were drawn up by this Committee: Alternative "A" stipulated that a stockpile be established in the Far East by an international authority, the charter of such authority

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\* Document E/C.S.7/48 - 9 December 1946

/to be approved



to be approved by the Economic and Social Council. Other members felt that alternative "B" would provide adequate security. This plan required that all imports of narcotics into Japan should receive prior sanction by an inspectorate appointed by the United Nations.

"The Commission decided to submit both alternatives to the Economic and Social Council, and suggested that the Council should send its recommendations in regard to Japan to the Far Eastern Commission and to the Allied Military Authorities now in control of Japan.

"The Report of the Commission on Narcotic Drugs was considered by the Economic and Social Council at the second meeting\* of the fourth session. After several members of the Council had expressed their preference for alternative "B" in view of the fact that it was an easier and less burdensome solution, the Council referred the Report to its Social Committee for more detailed study. The Committee gave the most careful consideration\*\* to the proposals concerning Japan. There was general agreement as to the need for the complete control of narcotic drugs in Japan after the conclusion of the peace treaties, though some different opinions were voiced by delegates as to how this control could best be attained.

"With a view to facilitating the discussion, the Chairman of the Narcotics Commission put forward a statement\*\*\* to the Committee in which he suggested that the services of the Permanent Central Board and the supervisory Body might well be called upon to give a real guarantee that the imports of narcotics by Japan were justified. It could be required that the import authorizations in the case of Japan should be endorsed by the Permanent Central Board and that no government of an exporting country should honour an import certificate for Japan which did not contain such an endorsement. In addition, the Chairman pointed out that as regards the internal aspect of the control of narcotics in Japan, not one of the existing organs of international control was in a position to assume a control more stringent than that functioning under the existing Conventions.

"The Committee made no specific recommendation on these matters, but during the discussion the view was expressed that the Commission might, if it thought desirable, give further consideration to the problem of the control of narcotics in Japan.

"The Report of the Committee came before the Council in Plenary Session on 28 March 1947, when the following resolution was adopted:

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\* Document E/P.V/52

\*\* Document E/AC.7/2 and Document E/AC.7/5

\*\*\* Document E/AC.7/4 - 12 March 1947

'THE ECONOMIC AND SOCIAL COUNCIL

'HAVING CONSIDERED the problem of the control of narcotic drugs in Japan, and the recommendations of the Commission on Narcotic Drugs on this subject,

'APPROVES the decision of the Commission to approach the competent authorities at Pacific Headquarters through the proper channels, with the request to supply to the Secretary-General, and through him to the Parties to the Narcotic Conventions, reports and other information to be furnished in accordance with the Conventions of 1912, 1925, 1931, and 1936, and

'HAVING NOTED that the most stringent measures for the control of narcotic drugs should be incorporated in the peace treaties to be concluded with Japan,,

'RECOMMENDS to the Governments responsible for negotiating these treaties that provision should be made in them for the most stringent control in the period after the conclusion of the treaties of all transactions concerning narcotic drugs in Japan, and that to ensure effective operation this control should be under the supervision of such control authorities as may be established by the peace treaties and of the United Nations, whose expert bodies will be available to give such information and advice as may be requested.'

"The necessary steps have already been taken by the Secretariat to communicate the first part of this resolution to the Supreme Commander for the Allied Powers at Pacific Headquarters. The Commission now has before it the Annual Report for Japan on the Traffic in Opium and Other Dangerous Drugs for the calendar year 1946, which has been transmitted by the Supreme Commander through the representative of the United States of America on the Commission.

"It has not been possible to take any action on the second part of the resolution, since the Secretariat has no information up till now as to the countries which will be responsible for negotiating the peace treaties with Japan. The Commission may, however, desire to consider further, in view of the Council's resolution, what advice, if any, should be tendered to the Governments concerned regarding the measures to be included in the peace treaties in order to secure the necessary stringent control of narcotics in Japan after the Allied occupation has ended.

"As pointed out in the Chairman's statement referred to above, there are two main aspects of the problem, namely, the international supervision of imports and exports, and the internal control of manufacture and distribution.

International Control

"With regard to the international control, there should be no difficulty in providing in the peace treaties, if legally necessary, that Japan shall be bound by all the Conventions concerning narcotic drugs. This would ensure

/inter alia

inter alia that the system of import and export certificates would apply to Japan, but the Commission may feel, in view of Japan's past record, that reliance should not be placed upon the good faith of the Japanese Government for the issuance of these certificates and that they should be under the supervision of some international agency. By far the simplest and most economical course, subject to what is said below, would be to utilize the services of the existing international drug control bodies, namely, the Permanent Central Board and the Supervisory Body, as suggested in the statement of the Chairman before the Social Committee of the Council. On these lines it might be possible to provide that all certificates issued by the Japanese Government under Chapter V of the 1925 Convention would require endorsement by the Permanent Central Board before they were acted upon by another country. The Central Board would, of course, in considering the endorsement of certificates issued by the Japanese Government, take into account the estimates for Japan established by the Supervisory Body. The Supervisory Body might perhaps be empowered to have the final decision in the matter of estimates, whether or not these were submitted by the Japanese Government. It should be pointed out, however, that it would be necessary to obtain the prior consent of these Bodies before any such provisions could be included in the peace treaties. This might give rise to difficult juridical questions since the suggested functions would be extra-conventional functions of an administrative character which would be assumed, it is thought, in virtue of an agreement between the treaty-making Powers and the aforesaid international organs. If the Commission desires this question to be pursued, it will require the most careful consideration and full legal advice.

"A more stringent measure would be to prohibit absolutely all exports of narcotics from Japan, which is the position at present under the Occupying Powers. Imports of narcotics could probably not be totally prohibited since some would be required for essential medical and scientific needs. The total prohibition of exports would obviously be the best guarantee against Japan engaging in the illicit traffic and would be fully justified from the point of view of narcotics control, but the Commission will, no doubt, take into account the political aspect of the matter. It is conceivable that it may not be found practicable by the Governments drafting the peace treaties to include such a prohibition which would, of course, have the effect of placing a limitation upon Japanese sovereignty. It will be recalled that the President of the Council drew attention to this aspect of the matter when the resolution of Japan was before the Committee on Social Affairs. The best course may be, therefore, that the Commission

/should consider

should consider the desirability of putting forward alternative recommendations on this point, for example:

- (a) the total prohibition of export of narcotics and the international supervision of imports, or
- (b) the international supervision of both imports and exports.

Domestic Control

"The question of imposing any internal domestic control of narcotics in Japan after the conclusion of the peace treaties raises numerous questions of a political, legal, and administrative character, which it is not within the power of the Secretariat to answer. For example, if it were decided to set up an Armaments Commission to control the manufacture, etc. of armaments in Japan, it might be possible to link with this the control of narcotic drugs. If on the other hand, there is to be no control of armaments, or of certain commodities, or of other aspects of Japanese life, it is unlikely that a proposal to control narcotic drugs alone would be acceptable. This is a matter on which the Secretariat has no information.

"So far as available information goes to show, addiction was not a serious problem in Japan before the war. The concealed factories discovered by the American authorities are believed to have existed primarily to supply narcotics for the export trade and the false returns furnished to the Central Board were no doubt intended to conceal this illicit traffic, the purpose of which was, it may be assumed, both to earn large profits for the Japanese and to use narcotics as a political weapon to weaken the resistance of the populations of Manchuria and China. This traffic was possible, however, only in the wake of the Japanese armies of occupation and could hardly have been carried out successfully in an unoccupied country against the wishes of a national government.

"Another consideration which may be relevant is that the Allied Powers have set up an efficient administrative control of narcotics in Japan and it is conceivable that the Japanese authorities themselves may desire to continue this system after the occupation is ended.

"In view of the many uncertain factors in the situation, the Secretariat does not feel able to put forward any specific proposals regarding the control of narcotic drugs in Japan. The present memorandum has been prepared with a view to facilitating discussion by the Commission, who will no doubt instruct the Secretariat as to any further studies or action that may be deemed necessary or desirable."

The meeting rose at 1.00 p.m.

EIGHTEENTH MEETING

Held on Tuesday, 5 August 1947, at 2.30 p.m.

Chairman: Colonel C.H.L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland) and Dr. Sze (China) who was replaced by Dr. Chang-Yui Shu. Mr. Herbert L. May was also present.

The CHAIRMAN explained the timetable which members would have to follow in order to complete the work of the Commission by the afternoon of Friday, 8 August.

Continuation of the Discussion of Item 17 of the Agenda: Control of Narcotics in Japan. (Documents E/CN.7/W.6, E/CN.7/W.16, E/AC.7/4 and the unnumbered Secretariat memorandum)

The CHAIRMAN said that it was the duty of the Commission, as a technical and non-political body, to make its considered opinion available to the Economic and Social Council. There were four main points which were interdependent and could only be considered in relation to each other:

- (a) import of narcotics into Japan;
- (b) possible export of narcotics from Japan;
- (c) manufacture of narcotics in Japan;
- (d) domestic trade in Japan.

As Chairman of the Commission he had attended the Social Committee of the fourth session of the Economic and Social Council and drawn up a memorandum (E/AC.7/4) from which he would read the following extract:

"If members of the Committee should agree, it would be practicable to stipulate that the import authorizations in the case of Japan should require the endorsement of the Permanent Central Opium Board. It could be arranged that no government of an exporting country would honour an import certificate for Japan which did not contain such endorsement."

The question now was, how to advise the Economic and Social Council as to the best method of control in Japan. With regard to imports, machinery was already available, and endorsement by the Permanent Central Board would be guided by the estimates approved by the Supervisory Body. If Japan received narcotics sufficient only for the legitimate needs of its population, there would be no narcotics available for export. He believed that this restriction was justified in the light of Japan's past record of falsification of international records, and an even stronger case could be submitted to justify the prohibition of manufacture. It would be most

/unwise



unwise to grant permits in view of past illicit manufacture and the flow of drugs into the illicit traffic through Japan. If manufacture were allowed, there would be no secure basis for the control of exports and imports, and neither the Permanent Central Board nor the Supervisory Body would be able to function properly. Domestic trade should not be linked with any commodity. No Japanese system of control could be regarded as satisfactory, and any such system would have to be supervised. If imports were not controlled, and if exports and, above all, manufacture were permitted, any system of domestic control would be inadequate to prevent a recurrence of past violations.

Mr. ANSLINGER (United States) said that he was in agreement with the four points outlined by the Chairman. He understood that in the treaties there would be only a general reference to narcotic control, and he felt that it might be advisable for the Commission to recommend the insertion of these four points into the treaty itself or subsequent regulations.

The CHAIRMAN suggested that the Commission might decide on the above four points of principle, and that the Economic and Social Council would be better fitted to define the final plan of control.

He asked if the Commission agreed with the following quotation from the Assistant-Director's statement: "that all certificates issued by the Japanese Government under Chapter V of the 1925 Convention would require endorsement by the Permanent Central Board before they were acted upon by another country. The Central Board would, of course, in considering the endorsement of certificates issued by the Japanese Government, take into account the estimates for Japan established by the Supervisory Body. The Supervisory Body might perhaps be empowered to have the final decision in the matter of estimates, whether or not these were submitted by the Japanese Government.... The Total prohibition of exports would obviously be the best guarantee against Japan engaging in the illicit traffic and would be fully justified from the point of view of narcotics control, but the Commission will, no doubt, take into account the political aspect of the matter".

Major COLES (United Kingdom) moved the adoption of these decisions which, in his opinion, suggested the most effective control possible.

DECISION: The motion was adopted.

Mr. MAY (President of the Permanent Central Board) pointed out that the new and additional powers of the Permanent Central Board and the Supervisory Body would require the establishment of a special agreement, in conformity with the terms of the peace treaty between these bodies and the treaty-making Powers.

/The CHAIRMAN

The CHAIRMAN said that this would be arranged after the principle had been approved and asked if the Commission approved the proposal that there should be no exports from Japan and only imports for the legitimate medical needs of the Japanese people.

DECISION: The proposal was adopted.

The CHAIRMAN asked the Commission if it was in favour of recommending that the manufacture of narcotics should be prohibited in Japan.

DECISION: The proposal was adopted.

The CHAIRMAN said he believed that these three recommendations, would allow a reasonably effective control, and asked the Commission if it would recommend that care should be taken to ensure the establishment in Japan of a system of domestic control no less efficient than that now existing under the military authorities.

In reply to a question by the representative of the Soviet Union concerning the diminution of drug addiction in Japan, he stated that the Chinese and United States representatives had reported a great decrease in addiction in territories formerly occupied by Japan.

Mr. ANSLINGER (United States) pointed out that the Japanese representative on the Opium Advisory Committee of the League of Nations had always insisted that there was very little addiction in Japan. Nevertheless, the high consumption of so-called legitimate drugs per capita in comparison with other countries had always been a matter of concern. A narcotics control officer, recently returned from Japan, reported that he believed the situation in Japan to be much as before. The local police faced the same problems of forged prescriptions, and robberies in pharmacies and warehouses as in countries where addiction was rife. Owing to the present control, addicts were finding it difficult to obtain drugs, and the present per capita basis was about the same as in Canada or the United States.

The CHAIRMAN said that he had been advised by the Secretariat, and he agreed, that the Commission could only decide on the principle of these four points. In the months before the report to the sixth session of the Economic and Social Council, the Secretariat would study the best legal machinery which could be employed to give effect to these decisions.

Dr. SHU (China) speaking on behalf of his Government, stated that he understood that certain governments would be meeting shortly to draw up the peace treaties with Japan. He requested that the procedure initiated in pursuance of the resolution of the Economic and Social Council should be expedited by forwarding the Council's recommendation to the treaty-making Powers as soon as possible.

/The CHAIRMAN

The CHAIRMAN said that the Economic and Social Council would receive a copy of the report as soon as it was available.

Mr. STEINIG pointed out that no recommendation by this Commission could be forwarded to any extraneous organ outside the United Nations unless it had been approved beforehand by the Economic and Social Council. Should the Peace Conference be held before January 1948, the date of the sixth session of the Council, and should the Commission desire to make further recommendations than the resolution already adopted at the fourth session of the Economic and Social Council, the Commission might request the President of the Council to consider the part of the report containing the resolution made today at its present session and make an immediate decision.

Mr. MAY (President of the Permanent Central Board) considered that this referred to the procedure of a formal transmission of the resolution. Some of the countries represented on the Commission would be parties to the peace treaties and could bring the matter to the notice of their governments.

The CHAIRMAN said that undoubtedly State Departments could have the report of the Commission within a week of the return of their representatives and that since all countries represented on the Commission were also represented on the Economic and Social Council both formal and informal transmission would be ensured.

Item 18 of the Agenda: Control of Narcotics in Germany. (Documents E/CN.7/W.11, E/OB/W.18 and E/CN.7/W.19)

DECISION: Document E/CN.7/W.11, "Communications from the Allied Secretariat at Berlin", was adopted without discussion.

Mr. MAY (President of the Permanent Central Board) said that document E/OB/W.18 was intended for the information of the members and was a confidential document, since it had not yet been considered by the Permanent Central Board. The visits to different zones in Germany had been made on the express invitation of the authorities in these zones. Sometimes matters arose which were outside the competence of the Permanent Central Board, and these had been noted in this document.

The CHAIRMAN thanked Mr. May, to whom the Commission was indebted for this interesting report. Mr. May had spent some considerable time in visiting the occupied zones, and had obtained valuable information.

Mr. MAY said that the survey had been undertaken owing to the interest and efforts of Mr. Anslinger.

DECISION: Document E/CN.7/W.19, Report on the Illicit Traffic in Narcotics for 1946 in the British Zone, was adopted without comment.

/Mr. ANSLINGER

Mr. ANSLINGER (United States) said that he considered the situation in Germany unsatisfactory and had, therefore, prepared the following statement:

"In the first session of the Commission on Narcotic Drugs, I described the narcotics situation in the United States Zone in Germany. I stated that on the whole the control system in Germany was unsatisfactory. I regret to say that the control system is still unsatisfactory.

"The United States authorities had hoped that the Working Party, established by the Allied Health Committee on September 23, 1946, having been instructed by the Public Health Committee to revise the German Opium Law of 1929, immediately requested the United States representative to draw up a draft for the revision of that law. The United States representative agreed and later submitted a proposal to the Working Party for its consideration. This proposal envisaged the revision of the law in such manner as to effect centralized control under quadripartite supervision and to control the production and use of poppy straw. The proposed revision would also have facilitated the uniform interpretation and application of the law in all four zones, the establishment of a central office for the collection and distribution of statistical information regarding the trade in narcotics and the establishment of an efficient police force for the suppression of the illicit traffic in narcotics.

"The draft of the United States representative was discussed at five meetings of the Working Party, but agreement was not reached on any of the paragraphs in the proposal. No alternative proposals were introduced. The Soviet representative at the fifth meeting of the Working Party on January 9, 1947, stated that the German Opium Law was satisfactory and that he was unable to come to the opinion that it needed revision at that time. The representatives of France, the United Kingdom and the United States went on record that in their opinion the law did require revision.

"In the course of the discussion, the representatives of the four occupying countries maintained that the German Opium Law was in full force and effect in their Zones. From information in our possession, it would appear that the German Opium Law is administered differently in each Zone with different degrees of success and efficiency.

"In view of the attitude of the Soviet representative, the Working Party came to the conclusion that it could not continue to consider the revision of the law and informed the Allied Health Committee accordingly.

/The question

The question was thus removed from the agenda and the revision of the German Opium Law has been postponed for an indefinite period.

"The Working Party still exists and expects to submit estimates to the Drug Supervisory Body of the 1948 requirements of Germany for narcotic drugs and to submit to the Permanent Central Opium Board the other reports required by the International drug Conventions. It could be utilized in the development of a co-ordinated control system.

"As no centralized administration has been set up, I desire to describe briefly matters relating to administration in the United States Zone. The four Laender, each carrying out the functions of the former Reichsopiumstelle operate in accordance with the German Opium Law as modified by military government regulations. Each opium office in each Land has inspectors supplemented by district physicians who are responsible for the inspection of factories and for submission of statistics. They report monthly to military government. They have no direct liaison with police officials, but through the efforts of military government voluntary co-operation has been stimulated. Police officers who have attended a course given by German police from March 3 to 15 1947, have begun their activities and there are indications of increased efficiency as a result. Supervision of the opium offices is maintained by one narcotics control officer who also prepares reports which are transmitted to the United Nations by military government. In the United States Zone military government regulations are losing their force as the Germans take over more and more functions. The abolition of these regulations would throw the whole responsibility into the hands of the Minister-president of each Land.

"Military government regulations prohibit the manufacture of heroin, the importation and exportation of narcotics into the United States Zone or through the Zone for export from Germany, and interzonal transactions except with permission of the Chief of the Public Health Branch.

"The lack of a centralized administration has resulted in a scarcity of narcotic drugs for medical requirements in certain areas in Germany. The long borders offer good opportunities for smuggling and there is a lack of experienced personnel to cope with the situation.

"The United States Government has instructed its representative on the Allied Control Council to support or introduce proposals for action by the Council for the establishment of an effective system under which the control of narcotic drugs in the four Zones in Germany would be co-ordinated, possibly by enlarging the scope of the existing Working Party."



M. BOURGOIS (France) said that three of the seven factories in the French Zone, classified as "Production industrielle", were not under complete pharmaceutical control. Measures would be taken at once to remedy the situation.

Continuation of the Discussion of Item 16 of the Agenda: Amendment of Article 19 of the 1925 Convention

The Commission considered the following draft resolution:

THE COMMISSION ON NARCOTIC DRUGS,

HAVING examined the memorandum prepared by the Secretariat (document ... ) in pursuance of the invitation made to it by the Economic and Social Council to initiate studies with a view to amending or deleting the provision in the fifth paragraph of Article 19 of the Convention of 19 February 1925, as amended by the Protocol respecting narcotic drugs of 11 December 1946, in accordance with which the members of the Permanent Central Board shall not hold any office which puts them in a position of direct dependence on their Governments;

CONSIDERING that it would appear extremely doubtful that an amendment of the 1925 Convention would lead to a satisfactory result and that in any case the amendment procedure would entail very long delay;

CONSIDERING, moreover, that the scope attributed by the Commission to the said paragraph would render its amendment useless;

DECIDES:

TO SUGGEST to the Economic and Social Council that it should attribute to the fifth paragraph of Article 19 of the Convention of 19 February 1925, as amended by the Protocol on narcotic drugs of 11 December 1946, the scope attributed to it in the paragraph (2) of Chapter IV of the memorandum approved by the Commission (Annex ... of the Report of the Commission).

II. HAVING come to the conclusion that, as a result of economic and social changes, it would be difficult to find suitable candidates to sit as members of the Permanent Central Board, without remuneration, and moreover, that members of the said Board should be granted privileges and immunities on the lines laid down by the Convention on Privileges and Immunities approved by the General Assembly on 13 February 1946:

RECOMMENDS that the Economic and Social Council should take the measures necessary for granting to the members of the Permanent Central Board the above-mentioned privileges and immunities, and also a special allowance during their term of office.

/Mr. ANSLINGER

Mr. ANSLINGER (United States) suggested changing the words "special allowance" in the last line of the resolution.

The CHAIRMAN thought that "adequate remuneration" would be more suitable.

DECISION: The draft resolution was adopted as amended.

Item 7 of the Agenda: Appointment of a Member of the Supervisory Body  
(Document E/CN.7/87)

Mr. STEINIG said that under Article 5, paragraph 6, of the 1931 Convention one member of the Supervisory Body was appointed by the Commission on Narcotic Drugs. As an organ of the United Nations, it would only be in a position to nominate a member after the Convention of 1931 as amended by the Protocol of 1946 had come into force. This was expected before the end of 1947, and the Commission would be able to appoint a member at its third session. Since the matter was not urgent, it could be postponed until that date.

The CHAIRMAN said that if the Commission nominated a member at this meeting, he would not be able to attend the October meeting of the Supervisory Body, since the Protocol was not in force. If he was nominated at the third session, he would still be able to attend the subsequent meeting of the Supervisory Body.

Mr. MAY (President of the Permanent Central Board), in reply to a question by the representative of the Netherlands as to the suitability of this procedure, said that he felt that this was a proper suggestion.

DECISION: The suggestion that the member should be nominated at the third session was approved.

Prof. ZAKUSOV (Union of Soviet Socialist Republics) asked the Commission to refer to the preceding point, the amendment of Article 19 of the 1925 Convention.

He said that the discussion had been interesting, but that contradictory opinions had been expressed and that he could not agree to the present drafting which stated that "the members of the Permanent Central Board shall not hold any office which puts them in a position of direct dependence on their Governments". He felt that this would be unacceptable because it would be impossible to find any one completely independent of his government, and it meant asking a man to renounce his fatherland. He felt that Article 19 had lost its significance and force and should be amended. He asked with insistence that the Commission should reconsider this matter.

Mr. KRASOVEC (Yugoslavia) shared the view of the representative of the Soviet Union; he considered, however, that the proposed new interpretation of Article 19 should serve as a temporary measure before the Convention was amended.

/The CHAIRMAN

The CHAIRMAN said that there had been some misunderstanding owing perhaps to differences of language. No greater degree of independence was required for the Permanent Central Board than for the International Court of Justice which counted a representative of the Soviet Union among its members. The Commission's vote had been recorded in the minutes of the previous day and the statement of the representative of the Soviet Union would be recorded in the minutes of this meeting.

Continuation of the discussion of Item 7 of the Agenda: Illicit Traffic  
Control of Narcotic Drugs Transferred from Military Stocks

The CHAIRMAN referred to the following resolution on the transfer of narcotic drugs contained in surplus military stores:

THE COMMISSION ON NARCOTIC DRUGS

HAVING LEARNED of cases of transfer from one country to another, after the cessation of hostilities, of certain surplus military medical stores containing narcotic drugs which were not covered by export certificates issued by the government of the exporting country, nor by import certificates issued by the government of the importing country, in accordance with the requirements of Chapter V of the Geneva Convention of 1925.

CONSIDERING that the failure to observe the provisions of the Convention of 1925 with regard to narcotic drugs contained in such surplus stores is liable to lead to the escape of these drugs into the illicit traffic.

REQUESTS the governments to draw the attention of their military or other authorities concerned to the importance of observing the provisions of the Convention in regard to the issuance of import and export certificates to cover all narcotic drugs contained in surplus military stores

RECOMMENDS that any narcotic drugs not covered by import or export certificates which may come to light from such sources should be treated as seizures of illicit drugs and dealt with in accordance with the provisions of the Conventions concerning narcotic drugs.

The CHAIRMAN asked the representative of the United States if he approved of this resolution, since the question had originated with him.

Mr. ANSLINGER (United States) considered that the resolution answered the purpose required.

M. BOURGOIS (France) asked the Secretariat to recall the obligations of governments under international conventions with regard to seizures. Narcotic drugs introduced into France by military authorities and the Red Cross were already in the hospitals and could not be re-sold.

/Mr. STEINIG

Mr. STEINIG read Article 18 of the 1931 Convention: "Each High Contracting Party undertakes that any of the drugs in Group I which are seized by him in the illicit traffic shall be destroyed or converted into non-narcotic substances or appropriated for medical or scientific use, either by the Government or under its control, when these are no longer required for judicial proceedings or other action on the part of the authorities of the State. In all cases diacetylmorphine shall either be destroyed or converted".

M. BOURGOIS (France) said that the French authorities were making an inventory of narcotics which were now in the possession of hospitals, and these drugs would appear in their statistics. There was almost no diacetylmorphine among them.

The CHAIRMAN pointed out that the question under discussion was the disposal of war surplus drugs which had entered a country after the cessation of hostilities.

Mr. MAY (President of the Permanent Central Board) said that from the standpoint of the functioning of the Permanent Central Board, it was necessary to have in its statistics an account of every narcotic drug entering or leaving a country.

M. BOURGOIS (France) agreed.

Major COLES (United Kingdom) said that the present purpose was to deal with present and future conditions and not to be concerned with drugs which had entered countries during the war under special conditions.

DECISION: The resolution was adopted.

Item 19 of the Agenda: Other Questions: Date and Place of Third Session

The CHAIRMAN read a letter from the Secretary of the Economic and Social Council enclosing a letter from the Secretary-General which pointed out some of the problems concerning the official calendar of meetings.

Mr. STEINIG said that the Economic and Social Council might meet in Geneva on 26 April 1948, for its seventh session. The calendar indicated that other meetings would be held in Geneva and that services there would be occupied until 15 April. This would only leave nine days, 16-25 April, for this Commission if it desired to hold its third session there. On the other hand, it would be possible to meet at Lake Success from 1-15 April. There was a major reason for holding the third session before the seventh session of the Economic and Social Council. The Commission would request the Council at its fifth session to transmit to governments the draft Protocol on bringing synthetic drugs under control and invite the governments to submit their replies not later than January 1948. The Secretariat would summarize these replies and, if necessary,  
/change the draft

change the draft Protocol in the light of the observations of the governments. The replies of governments together with the draft Protocol would be submitted again to the Commission at its third session. The Commission might then decide to submit the matter to the Economic and Social Council which might decide either to call an international conference or to recommend to governments that they give full powers to their representatives at the General Assembly of 1948 to sign this Protocol. An arrangement could be made to put this matter on the agenda of the seventh session of the Economic and Social Council, but the third session of the Narcotics Commission would have to take place before that session of the Council in order that the work might be concluded in time to forward a report on the Protocol to the Council in Geneva.

The meeting rose at 5.00 p.m.



## NINETEENTH MEETING

Held on Wednesday, 6 August 1947 at 10.30 a.m.

Chairman: Colonel C.H.L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland) and Dr. Sze (China) who was replaced by Dr. Chang-Yui Shu. Mr. Herbert L. May was also present.

The representative of Iran informed the Commission that he had just received a cablegram from his Government stating that no opium had been exported to Siam or other countries in the Far East during 1946 and the first half of 1947. Other export figures were as follows:

1945 To France: 250 cases of opium (18,125 kilogrammes.)  
1946 To the United States: 500 cases of opium (36,250 kilogrammes.)  
1947 To France: 500 cases (36,250 kilogrammes.)  
To Belgium: 40 cases ( 2,900 kilogrammes.)  
To the United States: 500 cases (36,250 kilogrammes.)

Mr. KRASOVEC (Yugoslavia) requested permission to make a statement on the illicit traffic in Yugoslavia. He stated that he had been officially notified that annual reports, as well as reports on illicit traffic, had been transmitted to the Secretary-General at the beginning of July. He regretted that they had not yet arrived, because their arrival would demonstrate that Yugoslavia desired to fulfil her obligations and the information contained therein might be of use to the Commission. He illustrated this point by citing private information on five trials in Belgrade, in which sentences ranged from six to twenty-four months of hard labour.

He declared that the illicit traffic flourished in Trieste. So-called displaced persons, who in their actual composition were in reality post-war refugees, that meant former collaborators, were active in the black market, where they traded not only in gold but in narcotics as well. It was possible that these persons obtained the materials from German war stocks, and were selling them not only in Trieste but also in camps elsewhere, especially in Austria and Germany.

The nationalization of industry in Yugoslavia had resulted in the more stringent control of narcotics, which also explained the large number of arrests for narcotic offences notified in Yugoslav papers.

The CHAIRMAN expressed interest in the statement made by Mr. KRASOVEC and especially in the fact that many traffickers in Yugoslavia had been duped into purchasing non-narcotic substances. The same tendency had been observed in Canada and the law had been changed so that the full force of  
/narcotic legislation

narcotic legislation might be applied to all substances represented as being narcotic drugs.

Mr. ANSLINGER (United States) recalled that before the war many illicit factories had operated in the vicinity of Skolpje and the Opium Advisory Committee had been concerned by the large quantity of drugs moving from Yugoslavia to Vienna, Paris, Hamburg, Berlin and New York. This traffic had flourished with the aid of conductors on trains passing through Belgrade. Bacula had been a prime mover in these cases. Mr. Anslinger expressed satisfaction with the more severe sentences received by traffickers, which contrasted sharply with the pre-war sentences of thirty to sixty days for the most serious offences. This would do more to discourage traffic than anything else.

Continuation of the discussion of Item 19 of the Agenda: Date and place of the third session.

The CHAIRMAN reminded the Commission that at its first session it had decided that May was the most desirable month for its regular annual meetings. At its first meeting in November it had decided that the next session should be held on 11 August 1947. When he arrived in New York last April he learned that the present session was to have been held in November in Geneva. He felt that this was an arbitrary decision, for while the Secretary-General should have the final word, the wishes of the Commission should be taken into consideration. After considerable correspondence and discussion the date of the meeting had been changed to July.

He wished to emphasize that there were urgent reasons why the next session should be held before the spring meeting of the Economic and Social Council, for otherwise the signing of the protocol on synthetic drugs would be delayed another twelve months. If the Commission decided that the session should be held in April, in subsequent years the sessions could take place in May.

The Chairman also reminded the Commission of the rule that reports to the Economic and Social Council had to be submitted six weeks before the meeting of the Council. In view of the full schedule this rule might have to be varied.

Mr. KRASOVEC (Yugoslavia) agreed with the Chairman that the Commission should be consulted in this matter.

Mr. STEINIG said that the remarks of the Chairman defined the situation as it now stood. According to the new rule the Commission might not determine finally the date and place of its sessions but it might express views on the matter. If these views were supported by reasons, it was probable that the Economic and Social Council would take them into consideration. Therefore, the Commission, in its report to the Council,  
/might desire

might desire not only to express its wishes as to the date and place of its next session, but also to give reasons in support of its proposals.

Mr. Steinig concluded that the Commission might find it desirable to hold its sessions at the same time each year, preferably in April or May, thereby facilitating the work of the governments and of the Secretariat. The calendar of meetings was still provisional. As far as Geneva was concerned, at present only nine days were available, from 16 to 25 April, but changes in the calendar might still occur.

The CHAIRMAN asked the members of the Commission whether they agreed that in their report to the Council it should be recommended that the Commission should meet once annually in May of each year, but that in 1948 the meeting should be held in April before the meeting of the Council, for special reasons connected with the protocol relating to synthetic drugs.

Dr. LABIB (Egypt) asked if meetings could be held in other countries, for instance France, Turkey or Egypt.

Mr. STEINIG replied that other departments would have to be consulted on this point. The first condition would seem to be an invitation from the country concerned. The rules of procedure now under consideration by the Economic and Social Council contained a rule to the effect that each session should be held at the seat of the United Nations, unless another place was designated by the Economic and Social Council in consultation with the Secretary-General. A country represented on the Economic and Social Council could raise this question in the Council, as could also a country not represented, and the Council, in exceptional cases, could designate another place for the session.

The CHAIRMAN remarked that he had intentionally refrained from mentioning the place; he wished to deal solely at this point with the date.

Major COLES (United Kingdom) said that it seemed to him that the suggestion of the Chairman was as far as the Commission could go. Referring to the statement made by Mr. Steinig, he noticed that the words "in consultation" were used, whereas in the draft rules before them, the wording was "in agreement", the latter being the stronger expression.

Mr. STEINIG replied that the draft rules were now being considered by a special Sub-Committee of the Economic and Social Council and that this passage had been amended.

DECISION: It was decided to recommend that the next session should meet in the first half of April 1948.

Taking up the discussion as to the place of the next session, the CHAIRMAN remarked that there was no interval in the Geneva schedule for the Narcotics Commission, but ample facilities were available at Lake Success.

/He asked

He asked whether the Commission was satisfied to meet at Lake Success or whether it wished to press for inclusion in the Geneva schedule.

Major COLES wondered whether there was anything further for the Commission to discuss since New York seemed to be the only available place.

Mr. KRASOVEC (Yugoslavia) considered that the Commission might meet at Geneva from time to time. Since the Economic and Social Council was meeting at Geneva in the spring of 1948 it would be desirable to hold the next session of the Commission there. In that event the Bureau might remain in Geneva for the meeting of the Council. He was quite aware of the technical difficulties such as the movement of archives, but other Commissions apparently surmounted these obstacles.

Dr. RAMOS y RAMOS (Mexico) observed that the Council alone could make the final decision. It seemed to him, however, that there must be some definite reason if the place of meeting were to be changed.

In the CHAIRMAN's opinion the chances of the session being fitted into the Geneva schedule were extremely slim. If that continued to be the case he preferred Lake Success because the meeting could be serviced with greater efficiency.

Prof. ZAKUSOV (Union of Soviet Socialist Republics) favoured Geneva, first because the Economic and Social Council would be meeting there, and secondly, because he considered that nine days would be sufficient to complete the work of the Commission. He suggested that this matter should be put to the vote.

The CHAIRMAN answered that, in his opinion and in that of the Secretariat, nine days would be far too short a period for a session of the Commission either at Geneva or elsewhere.

Mr. KRASOVEC (Yugoslavia) wished to know whether the session might not begin somewhat earlier in Geneva.

Mr. STEINIG replied that the Conference on Freedom of Information and of the Press would not be over at the very earliest until 15 April 1948 and that the Economic and Social Council would meet on 26 April.

The CHAIRMAN asked whether the Commission recommended that an effort should be made to secure sufficient time on the Geneva schedule for the next session of the Commission, provided that it took place before the meeting of the Economic and Social Council.

DECISION: This recommendation was adopted by seven votes to six.

The CHAIRMAN said that a recommendation to this effect would be presented to the Economic and Social Council. If the Council decided otherwise, the meeting would take place at the headquarters, in which case a date would have to be fixed.

/Mr. STEINIG

Mr. STEINIG suggested Monday, 5 April 1948, as a suitable date; the session might finish on 17 or 19 April. This would leave time for the Commission to submit to the Economic and Social Council such recommendations as it might desire, especially in connection with the protocol on synthetic drugs.

DECISION: 5 April 1948, was recommended as the opening date of the next session of the Commission.

The CHAIRMAN remarked that the views expressed at this meeting would be included in the report to the Economic and Social Council.

Item 19 of the Agenda: Provisional Rules of Procedure for Functional Commissions of the Economic and Social Council. (Unnumbered document)

The CHAIRMAN observed that he had been assured by the Chairman of the special Sub-Committee which had been drafting the rules of procedure for commissions of the Economic and Social Council, that the Committee was fully seized of the difficulty and special circumstances affecting the Narcotics Commission. Certain changes had already been made with regard to the Narcotics Commission, and he felt certain that wherever it was found necessary to recommend a variation of the rules their wishes would receive sympathetic consideration.

The Commission had no observations to present on Rule 1.

In regard to Rule 2, the Chairman suggested that the Commission should protect itself by sending a special message to the Economic and Social Council during its present session expressing its desire to hold its yearly meetings in May, with the exception of 1948, and that it was in favour of Rule 2 on this condition.

Mr. STEINIG suggested that this message might be included in the interim report to the Council, since it was already linked with the synthetic drug question. He proposed the following wording for this message:

"While formulating this recommendation, the Commission was aware of Rule 2 of the provisional procedure."

The CHAIRMAN repeated that the only alternative was that the Commission would be unable to have any part in the determination of the date and venue of its sessions.

Mr. SATTANATHAN (India) suggested amending Rule 2 to read:

"...in consultation with the Secretary-General, owing consideration being given to the wishes of the Commission."

The CHAIRMAN thought that the proposed message to the Council would be adequate.

DECISION: It was decided to send the message to the Council.

No other observations were made on rules 2 and 3.

/Rule 4.



Rule 4.

Dr. LABIB (Egypt) objected that a notification of twenty-one days was not sufficient.

Mr. STEINIG pointed out that in practice notices were sent out much earlier; in the present instance they had been sent out two months before the meeting of the Commission.

The CHAIRMAN asked whether the Commission was permitted to suggest amendments to the draft rules.

Major COLES (United Kingdom) thought the Commission's position in this matter should be clarified in order that the members' time might not be wasted.

The CHAIRMAN suggested recommending that Rule 4 should be amended so that notifications would be sent at least two months in advance of sessions.

Mr. STEINIG, recalling the Commission's earlier discussions on this subject, informed the members that the Sub-Committee of the Economic and Social Council on Rules of Procedure was at present revising the draft rules, and the Commission had the right to make such observations and suggestions as it thought fit for submission to the Council. That body did not call upon its commissions to approve these rules, but any revisions recommended by them would be considered. Such revisions, however, would not come into force until after they had been approved by the Council.

No further comment was made by the Commission on Rules 5 to 9.

Rule 10, as amended by the Sub-committee of the Council, read as follows:

"The term of office of members of the Commission as determined by the Economic and Social Council shall begin on the 1st January following their election and shall end on 31 December following the election of their successors unless otherwise decided by the Council."

The CHAIRMAN remarked that this was not intended to be retroactive. The members of this Commission were elected for three years and would remain in office until 15 February 1949.

No comments were made by the Commission on Rules 10, and 12 to 34.

Rule 35.

The CHAIRMAN asked if it would be necessary to have a secret ballot if, for example, a Chairman were being elected unanimously.

Mr. STEINIG replied that the example cited was not a decision relating to individuals, but to functions. He added that a comment on this point might be included in the report.

No comments were made on Rules 36 to 38.

The meeting rose at 12.45 p.m.

TWENTIETH MEETING

Held on Wednesday, 6 August 1947, at 2.30 p.m.

Chairman: Colonel C.H.L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland), Dr. Sze (China) who was replaced by Dr. Chang-Yui Shu, and Mr. Anslinger (United States) who was replaced by Mr. Morlock. Mr. Herbert L. May was also present.

Item 19 of the Agenda: Continuation of the discussion of the Provisional Rules of Procedure for Functional Commissions of the Economic and Social Council. (Unnumbered document)

No comments were made on Rules 39 and 40.

Rule 41

The first line read: "Summary records of the meetings of the Commission and its subsidiary bodies...", "...its committees, its sub-commissions and other..." having been deleted.

Rule 42

Brackets were removed from "or by such other members of the Commission as it may decide".

Rule 43

"...its committees, sub-commissions and other ..." was deleted, changing the first line to read: "As soon as possible the text of all reports, resolutions, recommendations and other formal decisions adopted by the Commission and its subsidiary bodies...". The last two lines in brackets were deleted.

Rule 44

"...its committees, sub-commissions and other..." was deleted.

No comments were made on Rule 45.

Rule 46

The word "and" was inserted on the second line changing it to read "...the Chairman shall declare the opening and the closing of each ...". The words "and shall" were deleted in line 4.

Rule 47

It was agreed that this Rule should stand.

No comments were made on Rules 48 to 50 inclusive. Brackets were removed from Rule 50.

Rule 51

The second and third sentences were deleted. This rule now read: "Resolutions, motions and amendments of a substantive character, if so requested by any member, shall be deferred until...".

/Rule 52

Rule 52

No change except for the deletion of "so".

No comments were made on Rules 53 and 54. Brackets were deleted in both Rules.

Rule 54 (a)

The following new rule was inserted:

"Each sub-commission shall meet once a year unless otherwise decided by the Commission."

No comments were made on Rule 55.

Rule 56

The Rule was amended to read: "The rules of procedure of the Commission shall apply to the proceedings of sub-commissions and their subsidiary bodies insofar as they are applicable."

Rule 57

"...the chairman of the sub-commission" was changed to read: "...an officer..."

Rule 58 was deleted.

No comments were made on Rules 59 and 60.

Rule 61

Dr. SHU (China) said that with regard to Rule 61 he wished to ask if the Commission still had the right to make suggestions to the Council, and if this was recorded in the minutes of the sub-committee of the Council on Rules of Procedure.

Mr. KRASOVEC (Yugoslavia) said that he did not feel that the new text was clear enough or that it covered the Secretariat's interpretation.

The CHAIRMAN said that he understood that the Economic and Social Council reserved the right to make changes for the sake of uniformity. The Council would listen to suggestions from the Commissions and would be prepared to consider amendments of the rules of procedure if those suggested were well-founded. He said that these observations would be transmitted to the Sub-Committee on Rules of Procedure.

It was suggested that Rule 61 should read:

"Amendments to these rules of procedure can be made only by the Economic and Social Council."

Item 19 of the Agenda: Consideration of the draft minutes of the second session.

The CHAIRMAN said that Mr. STEINIG was not able to be present during the correction of the minutes, and that the Secretariat would present the changes it thought necessary in the minutes at a later meeting.

Minutes of first meeting

Approved without change.

/Minutes of the

Minutes of the closed meeting (Confidential document)Page 3

Mr. MORLOCK (United States) asked that the words in the fifth sentence of Mr. Anslinger's statement, "prohibited except under international obligations" should be deleted and replaced by "...possible to limit the manufacture of amidone except under international obligations". He also suggested that the sentence beginning "They did this ... for all purposes", should be replaced by "The plans to manufacture amidone were being expedited, for it was hoped that the drug would eventually replace morphine and eliminate the purchase of of opium except for certain items that require opium, such as papaverine, opium powders, tinctures, etc."

Page 4

He also suggested that on page 4 the word "manufacturing" should be deleted and after "country" the words "manufacturing morphine today" should be added.

The CHAIRMAN said he would like to change the last two lines of his statement to: "for morphine. In the latter event the whole opium production of the world in so far as morphine was concerned would disappear."

Page 7

On page 7, he wished to change "engaged on" to "engaged in", and the second sentence to "would a more highly qualified chemist be necessary".

Dr. LABIB (Egypt) asked if Dr. Small and Dr. Eddy would have an opportunity to see these minutes, and the CHAIRMAN said that this would be the responsibility of the representative of the United States but that he understood the minutes had been written from prepared statements.

Mr. MORLOCK (United States) said that this was correct.

Page 9

The CHAIRMAN asked that the words "as soon as possible" should be inserted between the words "control" and "for" in his statement and to replace "the sole country" by "one country".

Mr. MORLOCK (United States) wished to add the words "the manufacture of" on line 11 of Mr. Anslinger's statement, making the sentence read: "...which it had gained by limiting the manufacture of morphine,...", and on line 14 to make the sentence read: "Control of distribution by means of medical prescriptions would not limit manufacture". Line 16 he said should read: "...the advantages so far gained from the Narcotics Limitation Convention." He believed that the Chairman had made the remark about the need of control, in which case the minutes should read "The CHAIRMAN said that it was his duty to point out..."

Page 10

Mr. MORLOCK (United States) asked that a sentence should be added to Dr. Sze's statement, but it was agreed that the desired effect would be acquired by changing "proposed" to "moved".

Dr. LABIB (Egypt) wished to change the second sentence in his statement to "The drug would be seized unless accompanied by an import license and intended for medical use". The rest of the sentence was deleted.

The CHAIRMAN pointed out a typographical error where "observed" was the correct meaning, and wished to change "quite recently" to "... in recent years..." at the end of his statement.

The document was approved with these changes.

Minutes of the second meeting (open session)

Approved without change.

Minutes of the Third MeetingPage 1

Dr. LAZARTE (Peru) asked that the context of his cable should be changed to read: "...the session and suggesting that the chief representative of the Peruvian Delegation name an alternate."

Page 2

M. BOURGOIS (France) asked that "reproducing" should be changed to "corresponding to" and "he had been asked" to "it would be preferable".

Page 3

Mr. KRASOVEC (Yugoslavia) wished to change his statement to read "asked whether and to what extent the World Health Organization was entitled under the existing conventions to be asked for an opinion" and wished the Secretariat to check the following statement by Mr. Steinig.

Page 4

The spelling of "Mescaline" was corrected at the bottom of the page.

Page 5

The CHAIRMAN asked to insert "and medical" between "technical" and "body" in his first statement and in his final statement to insert "Advisory" between "Opium" and "Committee" and to add "provided for" at the end of the sentence.

Page 8

Mr. KRASOVEC (Yugoslavia) restated his remarks as follows:

"Mr. KRASOVEC (Yugoslavia) referring to Dr. Kiper's request wondered whether then all opium producing countries, as for instance Iran, should be included."

The CHAIRMAN proposed substituting "dispensed with" for "disposed of" in his last statement on the page.

The document was approved with these changes.

/Minutes of



Minutes of the fourth meetingPage 2

The CHAIRMAN changed "the reports" to "such reports" at the bottom of the page.

Page 3

The CHAIRMAN changed "this period" to "the war period" at the end of the first paragraph.

Mr. MORLOCK (United States) asked to delete "great" at the bottom of the page.

Page 5

Dr. LABIB (Egypt) asked that "He handed it to the Secretariat" be added to his statement.

The CHAIRMAN wished to change the order of "quantitatively" and "qualitatively" as they appeared in his statement at the end of page 5, since otherwise the sense of his remarks was lost.

Page 6

Mr. ARDALAN (Iran) wished to substitute "bill" for "law" in his statement on page 6, and to add "and if approved by Parliament would become a law" to this sentence.

Page 7

The CHAIRMAN asked for the insertion of "properly" between "unable" and "to function" at the top of the page.

The document was approved with these changes.

Minutes of the fifth meetingPage 3

The CHAIRMAN wished to change "most" to "very" essential and said that the second sentence should read "a case involving illicit imports.... in Canada at a recent trial..." deleting "of attempted smuggling". "...at a certain port" should read "...at a certain European port".

Page 4

The CHAIRMAN wished to insert "involving decisions on points of law" after "...in connection with narcotic drugs" in his first statement, and to change his second statement to read: "...100 cases in Canada involving interpretation of the Canadian law on Narcotics". In his third statement the first sentence should read: "... relating to burglary, forgery and similar offences had to be invoked."

Mr. DELGORGE (Netherlands) wished to insert a statement before "In answer to a question by Major COLES..." to read as follows: "Mr. DELGORGE could not understand the need for such a large number. The obligations of Article 21 related to the original laws in the language of the country and /therefore in

therefore in his opinion not more than a copy was needed for each Government."

Page 5

The CHAIRMAN asked that, the end of his third statement on page 5 should read: "as stated in the plan of study".

The document was approved as amended.

Minutes of the sixth meeting

Page 2

Mr. MORLOCK (United States) corrected the spelling of "Bacula" the name of the international trafficker referred to by Major COLES, and suggested that, when first referred to, his name should be given in full as "Carlos Ferdinando Bacula".

The CHAIRMAN added the words "relation to" in his remarks in the middle of the page, so that it read: "The Chairman drew attention to the considerable seizures of marihuana in relation to Mexico, reported on page 17."

In continuing he pointed out two typographical errors in his statement at the bottom of the page: "1940" which should have been "1946" and "export", next to the last word of the statement, which should have read "exporting".

Page 3

In the second sentence of his first remarks on page three, the CHAIRMAN added "manufactured" after the word "syrette", and the last sentence of the same paragraph he changed to read: "The doping of race horses by non-narcotic substances was now an offence entailing the suspension of the owner and trainer."

Major COLES (United Kingdom) hoped that the representative of India would not take him to task, and corrected a Secretariat mistake in his remark on page 3, changing it to read "Major COLES believed a case had occurred in Australia some years ago."

The CHAIRMAN added the words "of the North American Continent" after the word "market" and before "was \$900" in the first sentence of his statement at the bottom of page 3.

Page 4

Mr. DELGORGE (Netherlands) changed the twelfth line of the second paragraph of his statement on page 4 to read "a pharmacist or dispensing physician" instead of "the pharmacist or dispensing physician."

Page 9

The CHAIRMAN suggested that the reporting of the decision at the end of the minutes should be changed to "He put the document as amended to the meeting and it was adopted."

The document was approved with these changes.

Minutes of the seventh meeting

Page 1

The CHAIRMAN deleted the words "At the Chairman's suggestion".

Page 2

Dr. KIPER (Turkey) said that there must have been some confusion, because he did not recall the question that was attributed to him.

The CHAIRMAN said that the Secretariat would check their notes and investigate this matter.

Page 4

Mr. DELGORGE (Netherlands) asked that the reference to "Customs offices" in his remarks should be changed to "Customs officers".

Page 5

The CHAIRMAN suggested that the title should be added to the heading "Item 11".

In his statement in the middle of the page he deleted the words "possibilities" and "expressed" and changed the phrase to read "certain desirable angles had been explored".

He changed the last two sentences of his statement to read: "The limitation of production would soon require an extensive inquiry prior to the calling of an international conference; this limitation would apply not only to opium but to the coca leaf. Such a inquiry as that requested by the Government of Peru might afford an excellent opportunity to bring the knowledge of the Commission on the production of the coca leaf up to date."

Pages 6 and 7

Dr. LAZARTE (Peru) proposed many small changes in his statement on these pages. The underlined words indicate the changes made in the text as follows: (Page 6, first paragraph)

"There were ... medical works on the subject ... At no time had the Government of Peru ... and pathological effects of this habit or to ascertain whether it was necessary ... the Indian population... appeared to be healthy and prosperous... The Peruvian Government was therefore faced with the dilemma whether to suppress the habit or not... In addition to the medical side there was the social issue, since the chewers were mostly of the lower social classes and this was therefore a labour problem. Besides, addiction to substances which cause artificial stimulation was primarily a case for a psychiatric study."

Page 6, last paragraph

"...In chewing the coca they left a "quid" in the mouth and added alkaline substances allowing the leaf to soak in the saliva. The juice was gradually swallowed and absorbed, through the mucous membranes causing a sensation of numbness in the mouth and insensibility of the stomach mucosa..."

/Page 7,

Page 7, first paragraph

The result was a sensation of euphoria, happiness and good humour.  
If continued over a period of years, this habit gradually led to poor  
nutrition, ... a decline in health... and premature old age; ..."

The document was approved with these changes.

Minutes of the eighth meeting

Page 2

Mr. MORLOCK (United States) added the words "in Peru" after the last word, "consumption" of the first sentence of Mr. ANSLINGER's remark on the page.

Mr. KRASOVEC (Yugoslavia) changed the second sentence of his remarks to read "After the speech of the representative of Peru, he felt that the request of Peru could be dealt with in accordance with the terms of General Assembly Resolution No. 52 (1) on expert advice to Member Nations." He deleted the remainder of his statement.

Page 4

The CHAIRMAN changed "moved" to "suggested" in his remarks, making the last sentence read: "He suggested that this point should be approved".

Page 6

Mr. KRASOVEC (Yugoslavia) changed the last phrase of his remarks on page 6 to read "of which Yugoslavia and some other countries were not members".

Pages 6 and 7

Dr. LAZARTE (Peru) changed his statement on page 6 and the top of page 7 to read: ". . . in reply to the representative of Yugoslavia, said that the rural populations in Peru were the most addicted to chewing; he agreed that the agricultural as well as the factory workers should be represented. He pointed out that Bolivia and Peru were heavy consumers".

Mr. KRASOVEC (Yugoslavia) deleted the first sentence in his second statement on page 7, and inserted the words "said that" before the second sentence.

Page 8

Dr. SHU (China) inserted the word "pharmacological" after the words "effects" in the third sentence of Dr. SZE's remarks, and changed the last sentence to read: "There was controversy regarding" instead of "concerning".

Dr. LAZARTE (Peru) changed "physiological" to "pharmacological" in both his statements on the page.

The CHAIRMAN inserted the words "chewing the" before "coca leaf" in his second statement.

Page 9

The CHAIRMAN changed the beginning of the first sentence of his remarks to read: ". . . said that he had every hope that every country would co-operate", instead of ". . . said that no doubt all countries would co-operate".

The document was approved as changed.

Minutes of the ninth meeting

Page 2

Mr. MAY (President of the Permanent Central Board) wished to insert "non-medical" between "various" and "aspects of the question" in the last sentence of his statement.

Page 8

The CHAIRMAN pointed out a typographical error in the first line of his first statement where "the" should read "he".

Dr. LAZARTE (Peru) wished to change the last sentence of his remarks to read: "There might be unforeseen difficulties of transport, and traveling could be very difficult in certain districts".

Page 9

The CHAIRMAN wished to substitute "would" for "might" in his last statement.

Pages 11 - 12

The CHAIRMAN wished to change the sentence ". . . the Opium Advisory Committee which met a week before the session and. . ." as indicated by the underlining, and to delete the whole of the last sentence on the page and substitute the following: "He suggested that a document similar to that submitted by Mr. ANSLINGER should be prepared by the Secretariat before the next session".

He wished to add "opium" before "prices quoted" in the last sentence of his second statement on page 12, and to change the next to last paragraph on the page as follows:

". . . It was to be hoped that export control machinery nearest the scene of the seizures would be thoroughly revised and the Governments would satisfy themselves that all the opium grown in their territories was turned into their monopolies. The same situation . . . should ensure that all possible steps to put an end to the illicit traffic were taken."

Page 16

Mr. KIPER (Turkey) wished to change the beginning of his remarks to read: "that newspaper articles were not official records".

The document was approved with these changes.

The meeting rose at 5.00 p.m.

/TWENTY-FIRST MEETING



TWENTY-FIRST MEETING

Held on Thursday, 7 August 1947, at 10.30 a.m.

Chairman: Colonel C.H.L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland) Dr. Sze (China) who was replaced by Dr. Chang-Yui Shu, and Mr. Anslinger (United States) who was replaced by Mr. Morlock. Mr. Herbert L. May was also present.

Continuation of the discussion of Item 19 of the Agenda: Consideration of the Draft Minutes of the second session.

Minutes of the Tenth Meeting:

Page 1 - The CHAIRMAN proposed the insertion of a heading after the second line.

Mr. MAY (President of the Permanent Central Board) desired that the words "the Secretariat of" should be deleted from the first line.

Page 2 - The CHAIRMAN requested deletion of the word "shipping" in the first line.

Page 7 - Dr. RAMOS Y RAMOS (Mexico) wished paragraph 2 of his statement to read as follows:

"2. On the subject of the air raids mentioned as a method of locating and destroying illicit plantations, auxiliary to the usual methods, they are undoubtedly of enormous value and produced great practical results, in view of the geographical conditions of my country in which there are mountainous regions so remote from means of communication that they are not easily accessible by ordinary methods; but on the subject of the existence of clandestine landing fields in my country, my Government has no official information, and I also ask the representative of the United States that his Government get in touch with mine through appropriate channels with precise reference to these facts so that the corresponding legal measures may be taken."

~~Page 9 - The CHAIRMAN amended the last line in the first paragraph to read: "on which many million dollars had been spent in co-operative efforts by the Governments of both the United States and Mexico."~~

With regard to the paragraph headed "Prepared Opium", Dr. LABIB (Egypt) objected that this term was ambiguous since technically speaking it might include medicinal opium.

The CHAIRMAN replied that the term "Prepared Opium" was defined in the Conventions.

/Page 11 - Dr. SZE

Page 11 - Dr. SZE (China) asked that the word "countries" which appeared in the third line should be amended to read "counties".

The document was approved with these changes.

Minutes of the Eleventh Meeting:

Page 1 - Mr. MORLOCK (United States) wished that the words "at Liverpool and Southampton" should be added at the end of the first sentence of Mr. ANSLINGER's second speech.

Page 2 - In the third line the words "on an ounce of heroin" should be inserted after the words "a fine of \$50".

The CHAIRMAN desired the first sentence of the following paragraph to read as follows: "The CHAIRMAN suggested that while the sentences were more severe than in the past they were still not sufficient to act as a deterrent".

Page 3 - Beginning on the sixth line, the CHAIRMAN wished to amplify the remarks attributed to him in the summary record as follows:

"In Canada public opinion had been roused to the danger point some twenty years ago when illicit traffic was very prevalent and Parliament changed the law to provide for a minimum penalty of fine and imprisonment. Another method also found useful was to appeal against inadequate sentences imposed by the courts. This had been done in a number of instances, notably in one case where the biggest trafficker on the Pacific Coast, whose transactions involved \$670,000 in one year, had been sentenced to four years imprisonment and a fine of \$1000. It was felt that if this man did not receive the maximum, it would constitute an unfortunate precedent and set a low standard of sentences for less important traffickers. On appeal the sentence was increased to seven years and a fine of \$2000. Would it be possible to take up these angles with the chief constables in the United Kingdom? The drugs smuggled on ships were frequently landed by accomplices. Magistrates could in the course of court proceedings have pointed out to them the difference between a man having a few grains of opium for his own consumption and a large amount which was intended for the illicit market."

Page 4 - Mr. MORLOCK (United States) asked that the first three sentences of Mr. ANSLINGER's last speech should be amended to read as follows:

"Mr. ANSLINGER said that he would prefer to see more information as to the source and kind of opium. United States chemists were working on a method of chemical analysis for determining the origin of any unidentified opium. He had distributed a document which had been published on this subject."

Page 5 - The CHAIRMAN wished to amend the fifth line so as to read "knowledge and was apt to ignore the necessity of reporting on the country of origin".

Page 7 - In the fifth line the words "or en route to" should be inserted before the word "Egypt" while the words "and the surrounding countries" should be omitted. In the next line the word "on" should be replaced by "upon".

The document was approved with these changes.

Minutes of the Twelfth Meeting

Mr. MAY (President of the Permanent Central Board) requested that his name should be deleted from the list of those present.

The CHAIRMAN asked that a heading should be inserted at the beginning of the discussion.

Page 2 - The CHAIRMAN wanted the first paragraph amended as follows:

"The CHAIRMAN expressed his concern about this important matter, and felt that the purpose of the Permanent Central Board was being undermined when drugs were consigned without export or import certificates. Drugs in the possession of United States military hospital units had necessarily crossed many frontiers; this was a legitimate war-time procedure, but if the drugs, no longer needed by the hospital authorities, were allowed to leave the country without import or export licences, treaty obligations were being ignored."

Page 4 - Mr. DELGORGE (Netherlands) requested that the words "to the Drug Supervisory Body" should be omitted from the sixth line.

In Mr. SATTANATHAN's speech the words "military stores, including" should be inserted before the words "medical supplies". The last sentence of his speech was changed to read as follows: "A complete inventory had to be furnished and all the provisions of international Conventions on narcotic drugs would be automatically applied."

Page 5 - In the CHAIRMAN's speech after the numeral "1" the word "when" should be inserted.

Page 6 - Mr. DELGORGE (Netherlands) asked that the word "Eusdiende" in the second paragraph should be corrected to read "Enschede".

Page 7 - The CHAIRMAN asked that the last clause of the first sentence should be amended to read: "and suggested that this document could be adopted without further discussion."

The document was approved with these changes.

/Minutes of

Minutes of the Thirteenth Meeting

Page 5 - In the twelfth line the CHAIRMAN amended the sentence beginning "But already" to read "But according to this paragraph the scientific body has given its decision, there was thus no need for delay."

The first decision on this page should read:

"DECISION: By a vote of nine to one with two abstentions, the proposal to delete paragraph 5 was adopted."

The document was approved with these changes.

Minutes of the Fourteenth Meeting

Page 1 - Mr. MAY (President of the Permanent Central Board) requested that his name should be inserted in the list of those present.

Mr. ARDALAN (Iran) wished to have the words "and also what the letter 'f' signified" added to his speech and requested that Mr. Steinig's speech be amplified so as to include a reply to this question.

Mr. STEINIG amplified it as follows:

"Mr. STEINIG explained that the figures shown in the tables prepared by the Secretariat of the Permanent Central Board were official figures furnished by the Government of Iran to the Board. It might be that the footnote (f) shown at the bottom of the table referred to a quarterly return which was missing".

Mr. SATTANATHAN redrafted his statement on pages 1 and 2 as follows:

"Mr. SATTANATHAN (India) stated that the policy of the Government of India for a long time had been to discourage the export of opium. In 1926 the Government had decided to prohibit it totally in ten years, and to curtail the cultivation of the opium poppy. At the beginning of the century more than 1,000,000 acres were under cultivation, and by 1939 only 20,000 acres remained. The Allied Authorities represented on the Eastern Group Council made demands on India for opium for the allied countries in the East, and to meet these demands cultivation was expanded until about 40,000 acres were brought under cultivation. Since 1945 the cultivation had been steadily reduced, and in 1947 only about one-half of this area was under cultivation. In the next few years this area would be progressively reduced. The main exports after the war had been to the United Kingdom and to UNRRA in Italy. The policy of the Government on exports had been under revision; and its present policy was definitely to discourage cultivation except for medical use. The Indian Government was not interested in exporting opium for profit, and very little profit was actually made by the Central Government. The political changes now taking place in

"India would improve opium control. The Government as at present constituted possessed only limited control over the provinces which controlled distribution and consumption since there was no direct control over the States at all. Most of the States that were interested in opium cultivation would now adhere to the Dominion and it was trusted would co-operate wholeheartedly in implementing the international obligations of the Indian Government, and therefore all fears that might be entertained with respect to the future opium policy in India would prove unfounded."

Page 2 - The CHAIRMAN wished the word "submissions" to be amended to "changes" in the fifth line of the second paragraph of his remarks.

Page 3 - Mr. DELGORGE pointed out that in the ninth line the word "opium" should be replaced by the word "morphine".

Page 4 - The CHAIRMAN wished the words "in which nothing was added to the alkaloids of the opium" to be added to the end of the fourth line.

Mr. KRASOVEC wished the words "or even covered" to be inserted after the words "would be assisted" in the penultimate line.

Page 5 - Dr. LAZARTE requested the first sentence to be changed as follows: "Dr. LAZARTE (Peru) said that complete answers could hardly be expected and that the enquiry would help to provide the missing information".

Major COLES altered the second sentence in his speech to read as follows: "There had been 346 admissions of opium addicts to the hospital in the past twelve months, and no reports of serious deprivation symptoms had been received".

In his speech on page 6, he wished to omit the last clause commencing with the word "although".

Page 6 - Mr. DELGORGE (Netherlands) revised his speech at the bottom of the page as follows:

"Mr. DELGORGE (Netherlands) said that his Government had curtailed all use of opium except for medical purposes. Some hardship had been caused through the non-provision of centres for the disintoxication of addicts. Opium could still be obtained by illegal means, and police control was not very strict. It could ~~be assumed that in territories where Netherlands authority was not~~ exercised, opium was still sold openly. In Bali the sale of opium had been continued for some time, but the quantities allowed to addicts had been decreased until 1 April 1947, after which date the sale had been definitely stopped. The Chinese inhabitants in Java continued to ask for the re-establishment of the monopoly. No illicit prepared opium from abroad had been found".



Page 7 - Mr. SATTANATHAN (India) wished to amend his first speech as follows:

"Mr. SATTANATHAN (India) said that the problem in India was similar to that described by the representative of the Netherlands. Opium smoking had never been common in India, and in two provinces it was already banned. In November 1946 the Government decreed the total prohibition of opium smoking, although great administrative difficulties were apprehended in implementing the decree. The States and Provinces were cooperating in making this policy a success and no violations have been noticed so far".

Mr. DELGORGE amended his speech to read as follows:

"Mr. DELGORGE (Netherlands) suggested that the title of document E/CN.7/74 should be the abolition of legal opium smoking in the Far East".

Mr. SATTANATHAN (India), commencing with the third line in his second speech, redrafted it to read:

"The Government had been reluctant to take measures to suppress this practice in view of the fact that medical facilities in many parts of rural India were practically non-existent. It would take some time for the health and medical plans of India's post-war scheme to be implemented, and until then the need for a tried household remedy of which opium was an ingredient, could not be minimized. The drug was taken in small quantities and the Indian Government had felt that it would be impolitic, and perhaps even not humane, to stop this practice, until adequate medical services were made available to the poor population. Nevertheless, the Government had chosen as its policy to discourage opium eating and steps would be taken to put this into effect. This would automatically be preceded by a curtailment of cultivation, and, in this connection, he added that India had already started manufacturing medicinal opium and opium alkaloids. The average quantity of opium eaten per capita was below the limit set by the League of Nations".  
The document was approved with these changes.

Minutes of the Fifteenth Meeting

Page 2 - Mr. ARDALAN wished to change the first paragraph as follows:

"Commenting on these figures he stated that from 1943 onwards smokers had to obtain licences and the number of licences issued were as follows:

1943:	102,846
1944:	95,559
1945:	76,211

/"If one took

"If one took the year 1940, the per capita consumption of opium was 5 grammes, and, the total consumption being 307,000 kilos, the number of smokers would be 170,000, but fortunately the number of licences issued in 1945 had dropped considerably and this confirmed that many had stopped smoking. He regretted that he could not furnish . . . ."

The rest of the paragraph was unchanged. He also added the following words at the end of the third paragraph: "and that the Commission by some international document would bind the producing countries to prevent the smuggling of opium into the interior of Iran."

Page 4 - Prof. ZAKUSOV (Union of Soviet Socialist Republics) amended the words "had been" to read "would be" in the first line of his speech.

Page 5 - Mr. STEINIG inserted the words "of the coca leaf" after the words "control of distribution" in the fourth line of his first speech. He also suggested that the second sentence of the fifth paragraph should become the sixth paragraph.

Page 7 - The word "objected" in Mr. Krasovec's speech was changed to "remarked".

Page 8 - In the fifth line of the CHAIRMAN's speech under Item 16 the phrase "to the New Conventions" was revised to read "to any new convention".

The document was approved with these changes.

#### Minutes of the Sixteenth Meeting

Page 2 - Mr. DELGORGE inserted the words "for instance" after the words "successfully if" in the tenth line of his second speech.

Page 3 - Mr. KRASOVEC (Yugoslavia) revised the first two sentences of his speech to read as follows:

"Mr. KRASOVEC (Yugoslavia) believed that all members of the Commission considered the condition of paragraph 19 as to the independence not realistic. From the practical standpoint he considered that the interpretation given by the Secretariat was appropriate. Candidates probably ought to have been at one time in the service of their government...."

Page 4 - Major COLES wished to add the word "unlikely" after the words "It seemed to him" in the fifth line.

The CHAIRMAN amended the last sentence of his speech to read: "In any case, he thought that an amendment to the Convention would be inevitable in such circumstances."

Page 5 - Mr. SATTANATHAN added the following words to the end of his speech: "and should continue to be a representative body. If these officers were officers having no dependence on their countries, were appointed particularly on their personal qualifications, this body would not be different from any branch of the United Nations Secretariat".

Page 6 - Mr. MAY's first speech was revised as follows:

"Mr. MAY (President of the Permanent Central Board) said that in contrast to the Supervisory Body which had questions to answer frequently between meetings, members of the Permanent Central Board usually had to give opinions only at the meetings of the Board, with the exception of the President, who was obliged to give his opinion much more frequently".

Mr. MAY's second speech was revised as follows:

"Mr. MAY (President of the Permanent Central Board) wondered if, within the meaning of Article 5, a delegate to the Commission on Narcotic Drugs necessarily 'held an office' except for the duration of the session of the Commission."

In answer to a question by Dr. Lazarte, Mr. STEINIG said that the Commission had taken no formal decision on the request of the Government of Peru but had proposed that the representative of Peru on the Economic and Social Council should bring this matter before the Council on his own initiative.

Page 8 - Mr. MAY's speech was revised as follows:

"Mr. MAY (President of the Permanent Central Board) pointed out that the membership of the Board was far from being composed entirely of ex-government officials. The functions of the Permanent Central Board were specific and limited and were concerned largely with determining whether governments were fulfilling their obligations under the 1925 and 1931 Conventions and with imposing sanctions in certain cases of non-fulfilment."

Page 10 - Mr. MAY's speech was revised as follows:

"Mr. MAY (President of the Permanent Central Board) said that for his part so long as he was President he would never wish for more than the honour. He wished at this point to call attention to a situation where members of the Permanent Central Board and the Supervisory Body were not entitled to receive the privileges and immunities accorded to officials and employees of and delegates to United Nations, as the members were neither officials nor employees of nor delegates to the United Nations...."

The document was approved with these changes.

Minutes of the Seventeenth Meeting

Page 1 - The representative of Peru requested that his name should be added to the list of those present.

The first sentence of the second paragraph of Mr. SATTANATHAN's speech was changed to read: "The Central Government of India was primarily concerned with the production of opium and its distribution to the various States and Provinces in accordance with ascertained requirements."

Page 2 - Mr. SATTANATHAN also changed the words "agents" and "agency" appearing in the second and fourth lines to read: "officers" and "opium department". In the sixth line he substituted "departmental officers" for the word "agents". In the third line of the first paragraph the word "situation" was changed to "constitution" and in the next line the words "where the Indian States" were replaced by the words "in as far as the Indian States that would become integral . . . ." At the end of this paragraph Mr. SATTANATHAN added the following sentence: "He added that most of the opium producing States and all the importing States were expected to join the Indian Dominion." At the end of the second paragraph he added the words: "and revived smuggling on a larger scale after the termination of the war."

Page 3 - In the third line the word "seizures" was replaced by the words "seized opium" and in the sixth line the words "divert detection" were replaced by the words "mislead investigation."

The CHAIRMAN, in the second line of his speech, changed the word "work" to the word "efforts".

Dr. KIPER, in the thirteenth and fourteenth lines of his speech added the words "or any other harmful pathological effects" after the word "addicts" and replaced the words "for each addict" by the words "up to ten years".

Page 5 - The CHAIRMAN revised the first paragraph of his speech beginning as follows:

"The CHAIRMAN remarked that so far as Canada was concerned, this drug was not allowed into the country until it had been placed on the scheduled list of narcotics. There had been many cases of addiction to demerol. He proceeded to give some instances of its habit-forming properties. Reputable physicians, misled by the claims that had been attributed to this drug, had prescribed demerol for various ailments, and after increasing the doses their patients had become addicts and in several instances had had to be committed to mental institutions...A doctor had reported..."

The CHAIRMAN revised the second paragraph of this speech as follows:

"An article in the Canadian Medical Journal written by a physician of the Royal Victoria Hospital in Montreal had recommended that demerol **not** be supplied to out-patients as it was desirable that demerol should be taken under the immediate supervision of the attending physician".

Page 6 - The sentence beginning on the third line was changed to read as follows:

"In Canada, over 150 physicians had been cured permanently, and by permanent he meant that there had been no relapse for at least two years, and in some cases up to twelve years; . . ."

Dr. LAZARTE's speech was revised to read as follows:

"Dr. LAZARTE (Peru) reported that since the time of the first session of the Commission he had observed many addicts. He pointed out that in his opinion one of the most remarkable features of the personality of the criminal addict was his tendency to induce others to become addicts and even to provide drugs for that purpose. He thought that it was desirable that governments should make provisions to confine such individuals in institutions."

The CHAIRMAN wished to add the following sentence to the end of the next paragraph:

"A criminal addict was no more useful to the community than a case of smallpox".

Dr. RAMOS Y RAMOS revised his speech to read as follows:

Dr. RAMOS Y RAMOS (Mexico) stated that "the drugs most commonly used by drug addicts in his country are marihuana and morphine, and, in particular, marihuana. This problem, in general, presents the three following aspects: legal, medical, and social. I have already spoken about the legal aspect, mentioning the strict prohibition which is prescribed by our laws concerning the use of these substances. There exists at the same time a special legislation on drug addiction which provides sanctions and treatment for drug addicts. The Secretary of Health and Public Welfare has, for the past ten years, been exercising an absolute control over the prescription of drugs and the handling of doctors' prescriptions in which drugs are mentioned.

"With regard to the medical aspect, the treatment of drug addicts is compulsory in the Federal Hospital, which was established for this purpose, authorizing at the same time treatment in private clinics as long as these clinics fulfil the special requirements established by the health authorities.

"With respect to the social aspect, marihuana is used mostly by the lower classes, and, unfortunately, is beginning to spread among some sections of our working class, among others, miners, and metallurgical workers. This problem, together with its bearing on criminology, has been the subject of studies undertaken by our authorities, and I expect to be able to submit to you the result of their work at the next session of this Commission".



Page 7 - Mr. KRASOVEC wished to change the words "not in a position" to read "neither competent nor authorized" in the first line of his second speech. He changed the second sentence of this paragraph to read "Nevertheless, he had learned unofficially from members of the Balkan Commission that opium smoking had become prevalent in Greece and particularly among young men."

Mr. STEINIG's statement was revised to read as follows:

"Mr. STEINIG observed that the Government of Greece in its reply to the questionnaire concerning drug addiction had stated, as requested, the provisions embodied in the Greek law on this matter; it gave no figures as to the extent of addiction in relation to the total population, the questionnaire under consideration not calling for such information. If the additional information referred to by the representative of Yugoslavia was desired, the minutes of this meeting might be forwarded to the Government of Greece with the request for such data."

The CHAIRMAN then adjourned the meeting until 3:30 p.m. so that the members of the Commission might have time to read the draft report of the second session of the Commission to the Economic and Social Council.

The meeting rose at 12:50 p.m.

TWENTY-SECOND MEETING

Held on Thursday, 7 August 1947, at 3.30 p.m.

Chairman: Colonel C. H. L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland). Mr. Morlock replaced Mr. Anslinger (United States) during the first part of the meeting. Mr. Herbert L. May was also present.

Correction of the Minutes of the Seventeenth Meeting

Page 8. The CHAIRMAN desired to change "had been cured" to "had terminated their addiction" at the end of his third speech.

Dr. LABIB (Egypt) wished to change addiction "in" to addiction "to" cocaine and heroin in his second statement.

The document was approved with these changes.

Minutes of the Eighteenth Meeting

Page 3. The CHAIRMAN inserted the words "with the following quotation from the Assistant-Director's statement" after the word "agreed" and before the quotation in the second sentence of his statement.

Page 5. Mr. STEINIG changed a phrase in the first sentence of his remarks to read: "any extraneous organ outside the United Nations unless it had been approved" instead of "to any extraneous organs unless...".

The CHAIRMAN inserted the words "of the return of their representatives" between the words "week" and "and" in the second line of his second statement.

Mr. MAY (President of the Permanent Central Board) inserted the phrase "was intended for the information of the members and" after the document number "E/OB/W.18" in his remarks.

Page 10. Prof. ZAKUSOV (Union of Soviet Socialist Republics) requested that the sentence "He could see no reason why age should play a part in the nomination of members" should be deleted from his remarks.

Mr. KRASOVEC (Yugoslavia) requested that if there was no objection on the part of the Commission, he would like to insert a statement between the remarks of the representative of the Soviet Union and those of the CHAIRMAN. This insertion would read:

"Mr. KRASOVEC (Yugoslavia) said that he shared the view of the representative of the Soviet Union, he considered, however, that the proposed new interpretation of Article 19 should serve as a temporary measure before the Convention was amended."

The CHAIRMAN said that the Commission would agree to this insertion if the representative of Yugoslavia recalled having made this statement.

/Page 11.

Page 11. The CHAIRMAN replaced the word "document" in his first remark by "resolution". This was also done in the subsequent remark by the representative of the United States.

Mr. STEINIG suggested that to avoid confusion his statement on page 11 should be deleted; instead he should be reported as quoting Article 18 of the 1931 Convention, in full.

Page 12. The sixth sentence of his statement should read: "The Secretariat would summarize these replies and, if necessary, change the draft Protocol in the light of the observations of the governments". The following two sentences should read: "The replies of governments together with the draft Protocol would be submitted again to the Commission at its third session. The Commission might then decide to submit the matter to the Economic and Social Council which might decide either to call an international conference or recommend to governments that they give full powers to their representatives at the General Assembly of 1948 to sign this Protocol". In the last sentence, third line from the bottom, after the words "... to take place...", the following words should be added: "... before that session of the Council...".

The document was approved with these changes.

#### Minutes of Nineteenth Meeting

Pages 1-2. Mr. KRASOVEC (Yugoslavia) begged leave to delete the paragraph in his statement beginning "The steps taken..." on page 1 and ending "... but they were sentenced notwithstanding", on page 2, substituting the following sentence: "He illustrated this point by citing private information on five trials in Belgrade in which sentences ranged from six to twenty-four months of hard labour".

In the next paragraph he wished to change the second sentence to read: "... who in their actual composition were in reality post-war refugees, that means - former collaborators...".

Page 2. The CHAIRMAN wished to replace "purporting to be" by "represented as being" in the fifth line of his statement.

Page 3. Mr. MORLOCK (United States) changed "severer" to "more severe" in the first line of Mr. Anslinger's statement on that page.

The CHAIRMAN desired the second sentence of his remarks to read: "At its first meeting in November, it had decided that the next session should be held on August 11", and in the last sentence of the paragraph to insert "date of the" between "the" and "meeting". In the final line of his statement he wished to substitute "might" for "would".

Mr. STEINIG wished his statement to read as follows:

"... According to the new rule the Commission might not determine finally the date and place of its session but it might express views on the matter. If these views were supported by  
/reason

reason it was probable that the Economic and Social Council would take them into consideration. Therefore the Commission, in its report to the Council, might desire not only to express its wishes as to the date and place of its next session, but also to give reasons in support of its proposals...".

Page 4. It was decided to change the wording of the decision on page 4 to read as follows:

"It was decided to recommend that... meet in the first half of April 1948."

Page 5. The CHAIRMAN inserted the following words in his comment before the final sentence: "If that continued to be the case" he preferred...

Page 6. The CHAIRMAN wished to change "resolution" to "recommendation" in both his third statement and the wording of the second decision.

Page 7. At the top of the page the decision was changed to read:

"The Commission had no observations to present on Rule 1."

P The CHAIRMAN wished to add "the date and venue of" between "the determination of" and "its sessions" in his first statement.

The sentence "Rules 2 and 3... discussion" was replaced by "No other observations were made on Rules 2 and 3."

Page 8. The first sentence of Mr. STEINIG's first statement should read: "... that the sub-committee on Rules of Procedure of the Economic and Social Council..." and the words "and indeed was invited" should be deleted.

The sentence "Rules 5 to 9... comment" was changed to read: "No further comment was made by the Commission on Rules 5 to 9."

The sentence "Rules 10 and 12... discussion" was changed to read: "No comments were made by the Commission on Rules 10 and 12 to 34."

Rule 35: The CHAIRMAN's remark should read: "... if, for example, a Chairman were being elected unanimously."

The sentence "Rules 35 to 38... discussion" was changed to read: "No comments were made on Rules 36 to 38".

Mr. KRASOVEC (Yugoslavia) suggested that the corrected minutes should be issued as one book.

The CHAIRMAN said that this would be done.

The document was approved with these changes.

Mr. ANSLINGER (United States) replaced Mr. MORLOCK at the table.

Item 19 of the Agenda: Consideration of the draft report of the second session of the Commission to the Economic and Social Council. (Document E/CN.7/100)

Dr. SZE (China) submitted the report for the approval of the Commission with a few brief introductory remarks. He reminded the Commission that the Economic and Social Council had issued general instructions asking

/that reports

that reports be kept as short as possible. With respect to the form of the report, the timetable proposed by the CHAIRMAN had imposed a deadline of 7 p.m. on Wednesday for sending the manuscript to the mimeograph service. It had therefore been necessary to have the introduction and the final item on the time and place of the next meeting duplicated by the secretariat of the Division; for this reason the report was presented piecemeal. He wished to acknowledge the courtesy of his French and Russian colleagues in waiving their rights to translation. In view of the fact that there were five official languages, and that the report would appear in all five, he suggested that the editorial corrections should be left to the Secretariat as well as any other minor corrections which did not alter the substance of the report. He thanked the Secretariat for its splendid co-operation.

The CHAIRMAN said that he was sure that the Commission would wish to join him in congratulating the Rapporteur and the Secretariat. He agreed to the desirability of a brief report, provided that all the essentials were included.

Mr. STEINIG wished to tell the Commission that when their CHAIRMAN had presented the report of the first session to the Economic and Social Council, the Council had thanked the Commission for its work and congratulated the CHAIRMAN and the RAPPORTEUR on the brevity of the report.

Major COLES (United Kingdom) said that he had proposed to offer some minor grammatical corrections to the report, but in view of the Rapporteur's remarks he would desist.

The CHAIRMAN then asked the Commission to consider the report paragraph by paragraph.

#### Introduction

There were no comments on this section of the report which was approved.

Mr. MAY asked if he officially represented the Drug Supervisory Body.

Mr. STEINIG said that he had received a personal letter from Sir Malcolm Delevigne to this effect, but no official letter to the Secretary-General had yet arrived.

The CHAIRMAN thought that opening remarks attributed to him could be made shorter, and asked for the deletion of these paragraphs and the substitution of the following paragraph:

"Colonel SHARMAN, representative of Canada, Chairman, after welcoming the new members of the Commission, gave a brief account of the work accomplished since the first session and outlined the programme for the second session."

Dr. SZE (China) said that, with regard to the rules of procedure, he would like to insert a sentence to read as follows:

/ "With regard



"With regard to Rule 4, it expressed the wish that the notifications referred to in this Rule be communicated to members of the Commission, if possible, sixty days before an ordinary session of the Commission."  
This was approved.

Mr. ANSLINGER (United States) asked to have the United States added to the list of countries having ratified the protocol.

Mr. STEINIG said that this would be done as soon as the instrument of ratification had been deposited.

He pointed out a correction to be made on page 5, line 1, and it was decided that this line should read: "For the calendar year 1945..."  
The words "annex II" were added in line 8 after "obligations".

Dr. SZE (China) pointed out that in line 11 on the same page "summarized" should be inserted before "statement covering..." and in the following line "summarized" should be changed to read "annual" reports.

This paragraph was adopted as amended.

The meeting rose at 4.50 p.m.

TWENTY-THIRD MEETING

Held on Friday, 8 August 1947, at 10:30 a.m.

Chairman: Colonel C.H.L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland). Mr. Herbert L. May was also present.

Continuation of the discussion of Item 19 of the Agenda: Other Questions:  
Consideration of the draft report of the second session of the Commission to the Economic and Social Council. (Document E/CN.7/100).

Mr. ANSLINGER (United States) said he thought that the statement "the United States, which remains the Mecca of the traffickers" gave a false impression. The sentence was amended to read: "which continued to be one of the principal attractions of the traffickers".

In the paragraph on Mexico, the word "clandestine" was inserted between the words "thirty" and "landing strips", and the word "illicit" was inserted before "transportation".

Referring to the statement by the representative of Iran, Mr. ANSLINGER (United States) asked that an expression of satisfaction at the steps taken by the Iranian Government should be included in the report, and the last paragraph on the page was, with the approval of Mr. ARDALAN (Iran), amended to read:

"The representative of Iran confirmed, and the Commission noted with satisfaction, that his Government had issued a Decree prohibiting the cultivation of the opium poppy, which, when it is approved by Parliament, would go on the Statute-Book".

The representative of India said that he wished to include a statement on illicit traffic after the first paragraph, and the Chairman suggested that Mr. SAITANATHAN should consult with the Rapporteur with regard to an appropriate short paragraph.

At Mr. ANSLINGER'S suggestion the Commission agreed that cocaine and codeine should be mentioned together with morphine in the second paragraph.

In the fourth paragraph the words "well-cut or" and "Canada" were deleted

~~A further sentence was added at the request of Mr. ANSLINGER to the fifth~~  
paragraph reading: "Large seizures of Indian hemp are still being made in Egypt, Turkey, the Lebanon, Palestine, Syria, India and the United States." The original sentence by itself implied, he said, that the United Kingdom was the sole country in which there was traffic in Indian hemp; in reality there was very little traffic at all in that country.

The CHAIRMAN said that in his opinion the first paragraph on page 9 referred to Indian hemp in Egypt and should therefore be transferred to page 7, but the Rapporteur pointed out that this was not the case, particularly in view of the last sentence which referred to the final paragraph on page 8. The representative of Egypt had referred to both opium and Indian hemp.

/In the last

In the last paragraph on page 7, Mr. ANSLINGER corrected the words "United States chemists had perfected a method" to read "were working on a method".

Page 9

The Rapporteur suggested and the Commission agreed that the last sentence of the first paragraph should read:

"The Commission agreed that the matter should similarly be brought to the attention of the Governments of Syria and the Lebanon".

7. Limitation of Production of Raw Materials

The Commission agreed to various amendments, mostly of a drafting nature.

Mr. STEINIG stated that the use of the word "confidential" in the second paragraph was not correct as only one of the documents was confidential. He proposed to delete the word and transfer it instead to the relevant footnote.

Mr. SATTANATHAN (India) suggested various amendments to the second sentence of the third paragraph of section 1, which was finally changed to read:

"Since the termination of hostilities the Indian Government in co-operation with the States was pursuing a policy of severe limitation which, it was hoped, would lead to the suppression of opium cultivation except for medical use".

Page 10.

Some minor drafting changes were made.

The last paragraph, being a misprint, was deleted.

Page 11.

10. Drug Addiction

Mr. STEINIG said that the number of replies from Governments had risen to nineteen, and Yugoslavia was added to the list of countries which had sent information.

Mr. ANSLINGER said that one of the most interesting statements made by the representative of Iran had been omitted and asked for the inclusion of the following sentence at the end of the second paragraph:

"The representative of Iran stated that a Bill now before Parliament contained a paragraph providing the death penalty for anyone found smoking opium".

This was agreed to by the Commission.

Pages 12-16 inclusive.

Some minor drafting changes were agreed to. The representative of Yugoslavia asked for the deletion of the first footnote on page 15. Dr. SZE explained that the resolution at the bottom of page 16 had been drafted so as to cover the eventuality of the report on the request of the Government of Peru being considered by the Economic and Social Council at its present session. However, as this was not the case, it was necessary to change the wording of the resolution.

/The wording in

The wording in brackets was deleted.

Page 17

The representative of the Soviet Union desired to include a statement showing his reasons for voting against the resolution, and after a few drafting changes suggested by the Chairman, the relevant sentence in the second paragraph was deleted and replaced by the following:

"The representative of the Union of Soviet Socialist Republics, considered that the harmful effects on human health of the cocaine contained in the coca leaf had been conclusively proved; that the problems of the production and sale of the coca leaf were being dealt with in the questionnaire approved by the Narcotics Commission for South American countries; and in view of the fact also that only the Government of Peru had asked for a special commission to be despatched to the South American countries, opposed the despatch of a commission to the South American countries and voted against the resolution".

Page 18

Minor drafting changes were agreed to.

Page 19

The members of the Commission thought that the document received from the Allied Secretariat in Berlin in regard to control of narcotics in Germany, was hardly of a confidential nature, and Mr. STEINIG suggested amending paragraph (a) of the document so that it was couched in more informal terms, and deleting paragraphs (b) and (c).

Page 20

The following words were added to the first paragraph: "and in this the Commission concurred". The words "some special" were deleted and replaced by "adequate".

Major COLES (United Kingdom) referred to the second paragraph and asked whether the privileges and immunities mentioned had actually been granted; he was unaware of them. It was agreed to change the word "granted" to "being accorded", in view of the fact that steps were being undertaken at present in this direction.

~~Mr. MAY (President of the Permanent Central Board) thought that these~~  
privileges might be extended to the members of the Supervisory Body, but the Chairman replied that the whole question of the appointment of the members of that body was being postponed until the third session of the Commission, at which time the matter of privileges and immunities could be brought up.

Mr. KRASOVEC (Yugoslavia) referred to the resolution on Article 19 of the 1925 Convention and suggested that if a footnote, giving the interpretation of paragraph 2 of Chapter IV of the Memorandum were added, the Annex, which was a lengthy document, would be superfluous. The full document could be circulated to the Members, but he doubted if the General Assembly would wish to read it.

/The CHAIRMAN said

The CHAIRMAN said that a footnote would be a repetition of a text, and in this connection he read a letter from the Secretary-General enclosing a copy of instructions issued to the Secretariat with reference to the preparation of documents for the General Assembly in which a strict request was made that documents should be kept as brief as possible, with no repetitions. The Commission had already decided that the annex would constitute part of the report. The Director of the Division would be glad to discuss the matter with the representative of Yugoslavia.

Page 21

Following an objection by Mr. DELGORGE (Netherlands) lines 10 to 12 were amended to read as follows:

"It should therefore, either be deleted or amended in such a way as to allow the Economic and Social Council to appoint members of the Board, irrespective of their position vis-a-vis their governments."

Prof. ZAKUSOV (Union of Soviet Socialist Republics) said that the translation of his statement had been incorrect.

Mr. KRASOVEC (Yugoslavia) requested that the following statement should be inserted after the statement of the representative of the Soviet Union:

"The representative of Yugoslavia, while sharing the same view, agreed with the proposed interpretation of Article 19 as a necessary temporary measure before the paragraph was amended.

The Commission agreed.

Date and Place of next Session

Mr. ARDALAN (Iran) pointed out that no mention was made of 5 April 1948 as the suggested date of opening of the third session.

The CHAIRMAN replied that the Commission had recommended that the third session should be held in Geneva. 5 April had been suggested as the opening date only if the meeting had to take place in New York. A letter to the Economic and Social Council making known the wishes of the Commission was now under consideration by the Council.

The meeting rose at 12.40 p.m.



TWENTY-FOURTH MEETING

Held on Friday, 8 August 1947, at 2.30 p.m.

Chairman: Colonel C.H.L. Sharman, C.M.G., C.B.E., I.S.O. (Canada)

Present: All the members except Dr. Tubiasz (Poland). Mr. Herbert L. May was also present.

Mr. ANSLINGER (United States) made the following statement:

"It is important that not only governments, administrations and officials concerned but also numerous anti-drug societies and the public in general should be able to obtain periodically authoritative information on all questions pertaining to narcotics control and administration. I have thought that the most efficient way to effectuate this might be to request the Secretariat of the Narcotics Division to publish a bulletin which would appear every month or every two months. This bulletin would give an authoritative account of the work of our Commission and the Secretariat, of other bodies created by international Conventions, and of current developments in the narcotics situation.

"You will remember that M. Bourgois, at the seventeenth meeting of this session, asked the Secretariat to prepare a memorandum for the next session on anti-opium societies, their publications, and an analysis of the more striking news items contained therein. The bulletin, the publication of which by the Secretariat I suggest, would also serve this purpose and create a strong link between this Commission and the Division of Narcotic Drugs on the one hand, and the anti-opium societies whose excellent work and goodwill should not be underestimated, on the other hand.

"The bulletin would also serve an important purpose in keeping the narcotics question before the public.

~~"I would be very much in favour of the Commission strongly urging the Secretariat to start the publication of such a bulletin as soon as possible."~~

~~He also said that he made a practice of distributing reports of the~~  
Commission on Narcotic Drugs to narcotic control officers in the United States. International collaboration in narcotic drug control was not a formality, but work which knew no frontiers or language bar and was an excellent example for other efforts in international collaboration.

M. BOURGOIS (France) warmly seconded his colleague's proposition. It was essential to influence public opinion. He had been on the Commission on the Traffic in Women and Children and he knew that it was owing to the use

—/of the press—

of the press by that Commission and to its collaboration with philanthropic societies that seventeen countries carried through the vast reform of substituting the abolitionist system for the system of licenced houses. This reform was a striking example of what a commission could do if it was in contact with public opinion.

Governments recently took a revolutionary measure in the matter of opium: the suppression of monopolies. It was certain that if governments had done this, it was primarily because of the moral effects of the work of the Commission and its influence on public opinion. It was essential that the Commission should remain in contact with the press and philanthropic societies and continue to influence public opinion.

Mr. STEINIG said that should the Commission approve this proposal, the Secretariat would examine the possibilities with a view to carrying it out.

DECISION: The proposal was adopted.

The CHAIRMAN suggested that the Commission should approve the minutes of the Twentieth Meeting which dealt only with corrections of previous minutes without discussion.

DECISION: The minutes of the Twentieth Meeting were approved.

M. BOURGOIS (France) said that there was another point to which he would like to draw the attention of the Agenda Committee entrusted with preparing the next session. The regulation of the narcotics industry and trade and illicit traffic had been discussed, but he felt that consideration of the human victims of addiction had been rather neglected. What sort of people were they? What were the causes of addiction? How was it contracted? What sort of propaganda could be undertaken to combat addiction - different, of course, in Europe and in the Far East? What had been the role played by the philanthropic societies concerned with this matter and what results had they obtained? These were questions for meditation and he suggested that this Secretariat should some day collect all the relevant information.

He added that in the matter of bibliography, even a medical bibliography would be of value. In the book on cocaine, which was mentioned in the Commission, there were numerous clinical examples which also gave the causes for the addiction. He believed that even the medical aspects of the question were of direct interest to the Commission.

The CHAIRMAN said that this interesting suggestion would be carefully considered by the Bureau of the Commission and the Secretariat.

He asked if any members wished to bring forward any other matter since the Commission had now come to the end of its Agenda.

It was stated by the Representative of Yugoslavia and Mr. STEINIG that agreement had been reached concerning the discussion of the footnote on page 20 of the Report, relating to Article 19 of the 1925 Convention.

/Dr. RAMOS y RAMOS

Dr. RAMOS y RAMOS (Mexico) made the following statement on behalf of his Government:

"In view of the resolution adopted by this Commission inviting the Economic and Social Council to recommend to the Government of Mexico that it should take appropriate measures to fulfil its international obligations in conformity with the conventions on narcotic drugs, and abolish the illicit cultivation of the opium poppy, I have the honour, as Representative of the Government of Mexico on this Commission, to inform you now that every effort will be made to verify the facts as set forth in the motion of the Representative of the United States on which this resolution was based. In this as in every other case where Mexico is bound by an international undertaking, the Mexican Government will take such measures as the situation may require.

"I have the honour to submit formally to this Commission a motion inviting the Economic and Social Council to recommend that the Government of the United States should take the appropriate measures, in conformity with its international obligations under the conventions on narcotic drugs, to eradicate the organized groups existing in the territory of the United States which finance and direct activities in connection with the clandestine cultivation of the opium poppy.

"We are of the opinion that in the absence of measures of this nature any action taken by us would produce no effective results.

"In addition we are willing to leave the door open for the calling of a conference or exchange of opinions between the competent authorities of Mexico and the United States with a view to co-ordinating the work which must be undertaken to remedy the situation denounced by the Representative of the United States."

Mr. ANSLINGER (United States) said that the survey of illicit cultivation in Mexico referred to in a previous meeting had been conducted jointly by the United States and Mexican authorities. The United States had been invited by Mexican police authorities to participate in the survey. He added that the United States annual reports gave eloquent evidence of the efforts made by ~~the United States during the past several years in breaking up many of these~~ rings, that the United States could do no more than it was doing, and that any increased effort in this direction would not help so long as such great illicit planting took place in Mexico.

The CHAIRMAN pointed out that this subject had been on the agenda of the Commission and had been thoroughly discussed previously and could not now be considered as new business. He assured the Representative of Mexico that although his statement could not be embodied in the Commission's report to the Economic and Social Council, it would be recorded in the minutes.

/M. BOURGOIS

M. BOURGOIS (France) spoke as follows:

"We have reached the end of our work.

"The limitation of cultivation, synthetic drugs, the Protocol which is being worked out, an enquiry on the coca leaf - all these vast problems were agreed to at this session.

"For the success which we have achieved we must above all thank our Chairman. He has proved himself once more both a highly skilled technician and a wise diplomat, two talents which he has shown us are not incompatible.

"As for the Secretariat, I can only give it the praise it has always rightfully received but which it deserves more than ever this year. All its members have, I know, shared in the tremendous work which was necessary to produce the results it achieved. It is fortunate to have as its director a man so well qualified, with complete command of every branch of his subject and able to follow up its most intricate details. Such studies as those undertaken on Article 19 and on synthetic drugs do honour to the entire organization of the United Nations.

"We have reached a high summit on our road. It is at this point that the traveller likes to cast a backward glance. In a few words, I shall recall the most important stages of the journey:

"The first example of world-wide rationalization of a specialized industry by a diplomatic instrument;

"The creation of an international administration which now directs and controls the world trade in several hundred products;

"The setting up of a real international legislation which, comprising even non-signatory states, has come to replace the concept of treaties, hitherto deemed to be the foundation of relations between states.

"We have now a new international law. The comparative study of the various legislations which we are undertaking cannot but contribute further to clarify it.

"This is a great three-fold achievement: administratively, legally, socially.

"Perhaps it is on a loftier plane that the work of our Commission has shown its most important development. On this plane I like to see the development not simply of a technique in the co-operation between states, but rather of the evolution of that spirit itself which inspires our co-operation, which animates and leads it.

"Re-read the records of the Shanghai Commission of 1909, of the Hague Convention of 1912: you will find an atmosphere full of clouds, storms, thunder. Today the atmosphere is one of serenity and confidence.

/Yet now

Yet now our work consists no longer of vague recommendations, but of clear and precise pledges which limit national sovereignty. How far we have travelled in these few years!

"A new spirit prevails, a new conception of the reciprocal rights and duties of the states has developed, a new international conscience has come to life, slowly perhaps, but unfalteringly and with no thought of retreat.

"There is in this, Gentlemen - and this is the point I want to emphasize - a great, a very great lesson, for it is a lesson of optimism and hope.

"You will agree, perhaps, that this lesson does not come at all amiss at this time.

"And for us who have been instrumental in bringing forward this lesson, it is a great honour and a legitimate source of pride."

The CHAIRMAN thanked the Representative of France.

Mr. STEINIG said that the Secretariat had only done its duty, but, if it had contributed in a modest measure to the success of this session of the Commission, that was the greatest reward it could expect. The Representative of France had referred to this success as having significance going beyond the limited sphere of activity of this Commission. He shared this view. Any success, however small and limited, had its importance in present times. The work in this field, limited as it was had created and was still creating precedents of a legal, administrative and technical nature which might influence and further efforts serving even greater and nobler purposes.

He said that the Secretariat served and would continue to serve the Commission, true to its duties as international civil servants.

Mr. ARDALAN (Iran) expressed gratitude and thanks to the CHAIRMAN, the RAPPOREUR, the DIRECTOR of the Division of Narcotic Drugs and his staff.

Major COLES (United Kingdom) in associating himself with the tributes, complimented the document service on their efficiency and promptness.

Dr. KIPER (Turkey) one of the newest members of the Commission, expressed gratitude to the senior members for their help.

Dr. RAMOS y RAMOS (Mexico), Dr. LABIB (Egypt), Mr. KRASOVEC (Yugoslavia) and Mr. ANSLINGER (United States) associated themselves with the tributes.

Prof. ZAKUSOV (Union of Soviet Socialist Republics) in associating himself with the words of thanks added that the Commission, and he especially, were indebted to the interpreters, and thanked them for their excellent work.

Mr. SATTANATHAN (India) in his thanks, as the newest member, expressed gratitude to the senior members of the Commission for their help.

/Dr. SZE (China)



Dr. SZE (China) was grateful to the Commission for their kind words and added his thanks, particularly to the CHAIRMAN.

Mr. MAY (President of the Permanent Central Board) expressed his appreciation for the privilege of being invited to attend the meetings.

The CHAIRMAN, in closing the Second Session, made the following statement:

"When, a fortnight ago, after the opening formalities of the first meeting, I examined carefully with the Secretariat our agenda, I had some serious doubts as to whether it would be possible to bring the second session to a close in two weeks. We had to consider and to decide upon major and difficult problems such as the enlarging of the scope of the existing Conventions so as to bring under full control new synthetic drugs.

"We had, at the request of the Economic and Social Council, to give our opinion and advice on the delicate and intricate question of the nature of the functions and powers of the Central Board and the meaning of the provision of Article 19 which stipulates that the members of the Board should not hold any office which puts them in a position of direct dependence on their governments.

"We had before us the request of the Peruvian Government to investigate the highly controversial problem of the effects of chewing coca leaves in some of the regions of South America and of setting up a commission of enquiry or study group to report on this matter.

"We had to study and to approve a detailed plan which could serve as a basis for the preparation of the all-inclusive digest of national laws and regulations relating to narcotic drugs, promulgated by some seventy countries and also applied or applicable to some 110 non-self-governing territories.

"We had also to consider the proposal of the Secretariat to simplify the procedure of transmitting to governments seizure reports furnished by parties to the 1931 Convention under its Article 23.

"Last but not least, we had to devote particular attention to the situation in Germany and in Japan and to examine whether and to what extent the recommendations of the Commission formulated during its first session are being carried out by the authorities now in control of the administration in these countries.

"I am mentioning only a number of important new problems without enumerating the more formal matters and tasks with which this Commission is entrusted under the Narcotics Conventions and the resolution of the Economic and Social Council of 16 February 1946, such as the examination of annual reports submitted by governments, of seizure reports, of the trends of illicit traffic, drug addiction and import and export certificates.

/"I am glad

"I am glad to say that thanks to the consistent and enlightened assistance which every member of this Commission has given me, thanks also to the indulgence which they have shown towards me, it has been possible to reach unanimous decisions on almost all these problems, to conclude our work in a fortnight and even to submit to the Council, during its present session and as a matter of urgency, our report and recommendations concerning the conclusion of a new international instrument to bring under full international control the synthetic drugs which are potentially so dangerous.

"We are particularly indebted to our Rapporteur, the delegate of China, who in less than a day was able to draft the Commission's report with speed and great competence.

"I have already referred on more than one occasion to the excellent work of the Secretariat. The preparatory documentation for the session was comprehensive, thorough and exact; indeed, as the delegate of France has remarked, one of the of the studies on the more difficult topics reached a very high standard of excellence. During the session the Commission has been able to obtain full information and sound advice, whenever required, and not least, it has been possible for the Commission to see and approve the minutes of every meeting before the conclusion of the session. This has been a great convenience for the members and a marked advance over former practice. I think all the members of the Commission will agree that it is little short of remarkable that the Secretariat has been able to carry so heavy a load with what is, as I know from personal knowledge, a comparatively small staff, and I am sure that they will join me in congratulating the Director and every member of his staff on a first class performance.

"With regard to the work of the Commission members themselves, I have nothing but praise and thanks. I have perhaps worked you hard but I was determined to ensure that, by doing all our work in plenary session and avoiding sub-committees, we would avoid the annoying situation, or a situation which at any rate I found annoying, when I was a junior member, of having to hang around doing nothing for half a day or even a day at a time while other members were working.

"I think that you will perhaps share my view that the present system has worked well. It undoubtedly has permitted us to conclude several days earlier than would otherwise have been the case, and that is no small consideration for gentlemen of your high calibre, but it also offers the inestimable advantage of permitting each and every member to know

/and participate

and participate in everything that is going on, and even if he is unfamiliar with the particular specialized subject under discussion, he is obviously learning something and in a short time develops into a Commission member with an all-round knowledge of our work.

"I have enjoyed the past two weeks' work, not only because of the personal pleasure derived from meeting and associating with you all, but because I can share with you a certain amount of pride of accomplishment.

"My personal hope is that all your Governments will continue next year to honour themselves by having you as representatives on the Narcotics Commission, and I look forward to them being, so to speak, in the ranks with you and taking orders from the 1948 Chairman. Meanwhile, in thanking you once more for all you have done and said to make me a proud Chairman, I can perhaps be permitted to repeat what I said at the close of the last session:

"To my English speaking friends, 'Till we meet again'.

"To my friends who speak the beautiful language of France, 'Merci et au revoir', and

"To my Russian friend and colleague, 'Spasibo I Do Svidanya'".

The meeting adjourned at 4.15 p.m.

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