



UNITED NATIONS

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18 June 1953

ANNUAL REPORTS OF GOVERNMENTS

UNDER THE CONVENTION OF 13 JULY 1931 FOR LIMITING
THE MANUFACTURE AND REGULATING THE DISTRIBUTION
OF NARCOTIC DRUGS, AS AMENDED BY THE PROTOCOL OF
11 DECEMBER 1946

BASUTOLAND

ANNUAL REPORT FOR 1952

COMMUNICATED BY THE GOVERNMENT OF

THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND

NOTE BY THE SECRETARY-GENERAL

The Secretary-General has the honour to communicate herewith an annual report forwarded to him in pursuance of Article 21 of the Convention of 13 July 1931 for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, as amended by the Protocol of 11 December 1946. (For the form of annual reports, see document E/NR.1949/Form)

New York, 1953

A. GENERAL

I. LAWS AND PUBLICATIONS

1. The Basutoland Opium and Habit-forming Drugs Regulation Proclamation No.35 of 1922 promulgated on 23rd June, 1922, as amended by Proclamation No.4 of 1925, Proclamation No.45 of 1931, Proclamation No.58 of 1951 and High Commissioner's Notice No.194 of 1937, restrict and regulate the importation into Basutoland and exportation therefrom and the production and use therein of Opium and other habit-forming drugs.
No new laws, orders and regulations have been issued during the year on the question of Opium and other dangerous drugs.
2. Not applicable.
3. Nil.

II. ADMINISTRATION

1. a.) Nil.
b.)
c. No.
2. No new developments regarding addiction in the country.
3. Nil.

III. CONTROL OF INTERNATIONAL TRADE

1. The system of import certificates or export authorisations for the control of imports and exports of opium and other dangerous drugs worked satisfactorily during the past year.
2. No changes.
3. No modifications.
4. Not applicable. Basutoland is not an exporting country.
5. No cases of forged or falsified import certificates or export authorisations have come to our knowledge during the year.
6.) Not applicable.
7.)
8. Nil.

IV. INTERNATIONAL CO-OPERATION

1. Nil.
2. Close co-operation was maintained with the Union of South Africa to suppress illicit traffic in dangerous drugs.
3. Nil. This was not necessary.

V. ILLICIT TRAFFIC

1. Illicit traffic in Indian hemp (locally known as dagga) continued during the past year.
It is an indigenous plant that grows wild in Basutoland.
Profitable markets for this drug are found in the Union of South Africa. It is the only narcotic drug concerned in illicit traffic in Basutoland. The substances were derived from plants growing wild or clandestinely cultivated.
The methods most frequently used by traffickers are:
 - a. The concealment of small quantities of the drug by mine labourers in their personal luggage when proceeding to their place of employment on the Mines in the Union of South Africa.
 - b. The use of motor vehicles as a means of transporting large quantities of the drug, and

c. smuggling across unfrequented drifts, mountain passes and border fences.

2. Indian hemp is an indigenous plant that grows wild throughout the Territory. Its cultivation is prohibited. Chiefs and Headmen are held responsible for its eradication in their areas and plants that are discovered are destroyed by burning. Clandestine cultivators are prosecuted.

The growing of the plant is dependent upon the weather. The severe drought experienced in Basutoland during the year under review was not favourable for its growth and although it is impossible to estimate the quantity clandestinely harvested, it is considered to be very small.

Amounts clandestinely consumed in the Territory amount to a few ounces per consumer each year. Amounts exported vary from an ounce (28.4 g.) smuggled out by labourers to quantities up to one hundred pounds (45.3591 kg.) by traffickers.

3. Prosecutions and convictions during the year under review:

| | MANUFACTURE (Cultivation) | IMPORT | EXPORT | TRADE | POSSES- SION | TOTAL |
|--|------------------------------|--------|--------|-------|-----------------|-------|
| Prosecutions | 98 | - | 3 | 1 | 186 | 288 |
| Persons prosecuted | 98 | - | 3 | 1 | 192 | 294 |
| Convictions | 97 | - | - | 1 | 187 | 285 |
| Quantity of Indian hemp Confiscated in kilogrammes | 133 | - | 13 | 11 | 1998 | 2155 |

Total penalties imposed:

- i. Imprisonment without the option of a fine: Seven (7) years and one (1) month.
- ii. Fine only: £258.15.Od. (US \$724.50)
- iii. Fine or imprisonment: £3,495.15.Od. (US \$9,788.10) or forty-one (41) years, five (5) months and three (3) weeks.
4. Nil.
5. A total of 2155 kilogrammes of Indian hemp was confiscated during the year. This was destroyed by burning.
6. Portions of the plant most sought after are the berries and the buds just before the flowering stage. It is usually purchased and sold in unadulterated form. In certain cases it is sold as a mixture with tobacco. The retail price is ten pounds, £10 sterling (US \$28), for 45 kilogrammes.

VI. OTHER INFORMATION

Nil.

B. RAW MATERIALS

VII. RAW OPIUM

1. Nil.
2. a. Nil.
- b. Not applicable.
3.)
4.) Not applicable.
5.)
6.)

VIII. COCA LEAF

1. Nil.

- 2.)
- 3.) Not applicable.
- 4.)
- 5.)

IX. INDIAN HEMP

1. Indian hemp is an indigenous plant that grows wild in the Territory. It is smoked in clay pipes or mixed with tobacco and smoked in the form of a cigarette. A small quantity is consumed locally, a prohibited practice - while an amount of the substance, incapable of estimation, is smuggled into the Union of South Africa.
The quantity confiscated was intended for illicit export but was seized before an attempt was made to remove it from the Territory.
2. Cultivation is prohibited.
3. The harvesting of Indian hemp is prohibited in the Territory.
4. The areas cultivated were very small in extent. Plants were found in cultivated lands hidden by standing crops such as maize or Kaffir Corn. These were destroyed by burning.
5. a. Production of the resin is not permitted.
b. Nil.
6. Not applicable.
7. Production, trade and use of Indian hemp are prohibited in the Territory. Contraventions of the law are brought before the Courts. There is close co-operation between Basutoland and the Union of South Africa to suppress illicit traffic.
8. Not applicable.

C. MANUFACTURED DRUGS

X. INTERNAL CONTROL OF MANUFACTURED DRUGS

1. a. There are no drugs manufactured in Basutoland.
- b. The Basutoland Opium and Habit-forming Drugs Regulation Proclamation 1922 as amended, restricts and regulates the importation into Basutoland and the exportation therefrom, and the production and use therein of Opium and other Habit-forming drugs.

Section 2 provides that, save as in this Proclamation is provided, no person shall:

Sub.Sec.(1)

- (a) import, export, produce or manufacture or assist in the importation, exportation, production or manufacture of any habit-forming drugs; or
- (b) import, cultivate, or export or assist in the importation of any plant from which such drugs can be extracted, derived, produced or manufactured; or
- (c) administer, give, sell, barter, exchange or otherwise supply, or use, accept, purchase, take in exchange or otherwise receive any such drug or plant anything to the contrary in any other law notwithstanding.

Sub.Sec.(2)

Notwithstanding anything contained in this Proclamation no person shall import into the Territory or export therefrom any prepared Opium. In terms of Section 3 only a duly registered medical practitioner, dentist or chemist and druggist or duly qualified veterinary surgeon may, when authorised thereto by permit, import or export any habit-forming drugs. Such drugs may only be sold or supplied for professional

purposes or for strictly medical, surgical, dental or veterinary purposes upon a written prescription of a medical practitioner, dentist or veterinary surgeon.

Proclamation No.35 of 1922 provides for the necessary control.

2. Licences

There has been no modification in the licences system or in the conditions for the granting of licences:

- a. for the manufacture, including refining of the drugs covered by the Geneva Convention of 1925 and the Limitation Convention of 1931;
- b. for the trade in dangerous drugs.

3. Manufacture

- a.) Nil.
- b.)
- c. Not applicable.

4. Trade and distribution

- a. Permits and authorisations have been granted only to duly registered medical practitioners, dentists or chemists and druggists or duly qualified veterinary surgeons. There are no licensed wholesalers or pharmaceutical firms manufacturing preparations for the wholesale trade.
- b. Section 5 of Proclamation No.35 of 1922 provides that every chemist and druggist and every medical practitioner, dentist or veterinary surgeon who compounds or dispenses medicines shall cause to be entered in a book to be kept exclusively for the purpose:
 - i. the quantity of any of the drugs possessed, imported or required by him;
 - ii. the date of the importation or acquisition;
 - iii. the persons from whom and the place from which the same were imported or acquired;
 - iv. the quantity which has been disposed of and the manner in which and the person to whom such disposal has taken place.

Every such book shall be so kept as to show clearly, in addition to particulars of importation, acquisition, or sale, the amount of any such drug held in stock.

It is provided that every order or prescription and every record made in such book shall be open to the inspection of any member of the Police Force of or above the rank of Sergeant or any other person authorised thereto in writing under the instruction of the Resident Commissioner. It is an offence for any chemist or druggist, medical practitioner or veterinary surgeon to fail forthwith upon demand to produce such order, prescription or book for inspection.

The Police Force of the Territory periodically:

- i. verified the books or registers of retailers, and
- ii. supervised the conditions of storage of narcotic drugs.

D. OTHER QUESTIONS

XI. CHAPTER IV OF THE HAGUE OPIUM CONVENTION OF 1912

Not applicable.

XII. PREPARED OPIUM

- A. There is total prohibition of opium smoking in the Territory under the provisions of Proclamation No.35 of 1922. The results of this policy are that there are no opium smokers or addicts locally.
- B. Not applicable.

C. Nil.

XIII. MISCELLANEOUS
Nil.