

COMMISSION ON NARCOTIC DRUGS

Third Session

SUMMARY RECORD OF THE SIXTY-FIRST MEETING

Lake Success, New York  
Tuesday, 11 May 1948, at 3 p.m.

<u>Chairman:</u>	Mr. S. KRASOVIC	Yugoslavia
<u>Vice-Chairman:</u>	Mr. C. L. ESIA	China
<u>Rapporteur:</u>	Mr. A. KRUISSE	Netherlands
<u>Members:</u>	Canada Egypt France India Iran Mexico Peru Poland Turkey Union of Soviet Socialist Republics United Kingdom United States of America	Colonel C. H. L. SHARMAN Mohamed Amin ZIKI Mr. G. BOURGOIS Mr. G. MENON Mr. A. G. ARDALAN Mr. S. GUZMAN Mr. SOTO de la JARA Mr. STAWSKI Mr. KLEPER Mr. V. V. ZAKUSOV Mr. T. HURSON Mr. H. J. ANSLINGER
<u>Also present:</u>	Mr. Herbert MAY	Chairman of the Permanent Central Board and Vice-Chairman of the Supervisory Body
<u>Secretariat:</u>	Mr. L. STEINIG Mr. V. PASTUHOV	Director of the Narcotics Division Secretary of the Commission

CONSIDERATION OF THE NARCOTICS SITUATION IN MEXICO IN THE LIGHT OF THE DEBATE DURING THE SIXTH SESSION OF THE ECONOMIC AND SOCIAL COUNCIL ON THE RESOLUTION CONTAINED IN THE REPORT ON THE SECOND SESSION OF THE COMMISSION ON NARCOTIC DRUGS

The CHAIRMAN recalled that the Commission had adopted a resolution relating to illicit traffic in narcotic drugs in Mexico during its second session. That resolution had been sent to the Economic and Social Council which had examined it at the 130th and 131st meetings, during its sixth session.

Under the terms of Article 69 of the Charter, the Council had invited Mexico to take part in the examination of that question by the Commission on Narcotic Drugs. Since then, the Mexican Government had sent its annual report (document E/NR/1947/1).

The Chairman called upon the representative of Mexico to present his Government's report.

Mr. GUZMAN (Mexico) recalled that Mexico, like every other country in the world, had had to solve that problem. It had taken the most drastic measures to cope with an entirely new situation which had arisen during and immediately after the war mainly as a result of the abrupt interruption of communications with the Far East.

A gang of international traffickers had taught the Indian peasants how to plant and cultivate opium poppies in the most inaccessible parts of the country. The problem had quickly spread beyond the country's borders.

The first measures taken by the Mexican Government had been to enact legislation amending articles 193, 194 and 199 of the Penal Code by increasing prison sentences and considering illicit traffic in narcotic drugs

a crime almost as serious as homicide. All available forces had been used: Federal Police, Special Police of the appropriate department of the

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Ministry of Public Health, local police, army units and air force squadrons.

The results of that campaign were as follows: 2284 court cases pending; four secret opium-refining laboratories seized and destroyed; 663 opium poppy plantations, with a total area of 1,350,217 square metres, destroyed and burned; nearly 100 kilogrammes of raw opium seized; 1630 kilogrammes of marijuana and 2762 cigarettes burned; and 2 aircraft and many motor cars and lorries confiscated.

Some of the Government's best agents had been killed while fulfilling their duty in that campaign. The Mexican Government was resolved to destroy that new criminal industry in the near future, were it only to safeguard the physical and moral health of the Mexican people.

Mexico was ready to collaborate with every country in the world, and particularly with the United States of America, in a joint effort to save mankind from that curse.

As an illustration of that collaboration, the Mexican representative quoted the famous Woodbine-Check case, near Calxico in July 1947.

Mexico had signed The Hague International Convention in January 1912 and ratified it in July 1931. The Government had tabled in the Senate a proposal for ratification of the 1935 Convention.

Mr. ANSLINGER (United States of America) thanked the Mexican representative for his survey and congratulated him on the happy results achieved by his Government. Those results were confirmed by the report he had himself received.

/The report

The report presented by the Mexican Government was the best so far and showed to what extent traffic in narcotic drugs had increased. Only ten years ago, the cultivation and traffic of opium had been unknown in Mexico.

The United States Government's report for the years 1942-1947 showed that many persons engaged in traffic between the United States and Mexico had been arrested and sentenced by the United States. The only big American trafficker, Max Grossman, had just been arrested at Guadalajara, thanks to information supplied by the United States authorities, and sentenced to twelve years imprisonment. But he had appealed against that sentence and had been released on bail pending the examination of his appeal. That was no criticism of the Mexican Government, but the United States would like so dangerous an individual to receive the punishment he deserved.

The United States Government had urged the Mexican Government to prevent cultivation of opium poppies. That was the only effective means of preventing illicit traffic as the seizure of refined products was extremely difficult.

Finally, the United States representative expressed satisfaction at the blow the Mexican Government had dealt to the cultivation of, and traffic in, narcotic drugs, and said that his Government was ready to collaborate fully in that task.

Colonel SHEPMAN (Canada) associated himself with the United States representative's praise of the Mexican Government's action. He recalled that Canada had also been accused by the United States of being a centre of illicit traffic and that, in the same way as Mexico, his country had done its utmost to suppress it.

/However,

However, there was irrefutable evidence that some of the heroin seized in Canada came from Mexico. That had been noted on pages 4 and 7 of the Canadian Government's report for 1947.

Moreover, it was clear that a large part of the heroin seized in the United States (see Report of the United States Government for 1947; page 25 of the English text) would finally have reached Canada.

Colonel Sharman recalled that he already raised the question of secret airfields in Mexico in the course of a conversation with the Mexican Ambassador. Those airfields were used by aircraft bringing narcotic drugs to the United States and Canada. He wondered whether the Mexican Government could indicate to what extent it had been possible to locate those fields and put them out of use.

The Canadian representative suggested that the Mexican Government might accede to the 1936 Convention, which contained the very useful provision for mutual extradition. He pointed out that those most guilty of illicit traffic were not those who carried drugs on themselves and that that provision of the 1936 Convention was the only one which made it possible to extradite them for 'criminal conspiracy'. (Note of translator: This expression could not be checked)

Colonel Sharman finally made it clear that the aim of those criticisms was purely constructive. He hoped the Mexican Government would pursue its efforts to suppress illicit traffic and said that the Canadian Government would co-operate most heartily in that endeavour.

Mr. ZAKY (Egypt) said that, although that question mainly concerned the United States and Mexican Governments, it also affected all the members of the Commission and even other countries. He thought everyone was grateful to the Mexican Government for the action it had taken as a

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result of the United States complaint. He thought that that example would be followed, that the Mexican Government would enact still stricter laws and that those laws would be ruthlessly applied.

Mr. ZAKUSOV (Union of Soviet Socialist Republics) thought the figures quoted by the Mexican Government sufficiently convincing, but regretted that they were not illustrated by any document. He wanted to know what were the practical results of those measures and what improvement had been observed.

Mr. GUZMAN (Mexico) handed to the United States representative some photographs concerning Grossman and recalled that the latter had been sentenced before the promulgation of the new law. He would communicate with the competent authorities about that dangerous individual.

The Mexican representative again expressed his hope for ever closer collaboration with the United States. Mexico had had no experience in that field and must modernize and organize its technique and find more experts.

Replying to Colonel Sharman, he said he would inquire into the origin of heroin. In that connexion he recalled that his Government had discovered four secret laboratories, although there were certainly more. As regards secret airfields, seven had already been located and put out of use.

Replying to the USSR representative, Mr. Guzman said the results to be achieved by the new legislation would become known in a few months' time and he hoped he would be able to furnish a more satisfactory report next year.

/Replying

Replying to another question put by Colonel Sharman, he said that the 1936 Convention would probably be ratified by the Mexican Government in the near future.

Summing up the discussion, the CHAIRMAN expressed the general satisfaction of the Commission with the measures taken by the Mexican Government. He hoped that next year the Commission would be able to record the beneficial results of those measures. The discussion would be incorporated in the Commission's report to the Economic and Social Council.

Mr. KRUYSSSE (Netherlands) recalled that the Economic and Social Council had referred that question back to the Commission on Narcotic Drugs and wondered whether the Secretariat should not draw up a special report on the question.

The CHAIRMAN thought the Council merely wanted to know the Commission's views on the existing situation.

Colonel SHARMAN agreed with the Chairman.

Mr. GUZMAN (Mexico) thanked the members of the Commission for their remarks and said that the understanding they had shown would make his Government's task easier.

Mr. ZAKUSOV (Union of Soviet Socialist Republics) thought the report should lay stress on the fact that the measures taken by the Mexican Government were not yet effective since a criminal like Grossman was still out on bail.

Winding up the discussion of the question, the CHAIRMAN made it clear that all the main points raised by members of the Commission would be recorded in the report.

/METEODS

METHODS OF DETERMINING THE ORIGIN OF OPIUM BY CHEMICAL AND PHYSICAL MEANS (document E/CN.7/117)

Mr. ANSLINGER (United States of America) presented document E/CN.7/117 which outlined the work undertaken by a chemist of the Bureau of Narcotics as a result of the debate during the Commission's second session. That report showed how much progress had been achieved as regards the identification of opium; about 70 per cent of the consignments seized were easily identifiable and the report pointed out the differences in opium of different origins.

Colonel SHARMAN (Canada) stated that the United States memorandum on methods of determining the origin of seized opium was a very valuable document. His Government's experts had studied the important information in it with great interest.

In that connection, he read to the members of the Commission a memorandum from the Chief of the Narcotic Drugs Division of the Canadian Government's Department of National Health and Welfare. The memorandum was a reply to a request to the department to consider the advisability, from both the administrative and the technical points of view, of creating an international chemists' committee entrusted with the task of setting up standard methods for the study of specimens of seized opium by means of chemical analysis.

While expressing a desire to cooperate in the creation of a commission of that nature, the department submitted the following suggestions:

a) In view of the restrictions imposed on the movement of narcotic drugs, the United Nations should take the measures designed to ensure that the experts entrusted with the task should have the maximum number of samples of opium from different sources.

/ b) A committee



b) A committee of technicians representing Member States would have to be set up in order to procure and allocate specimens selected for analysis and also to divide the work among the various laboratories and ensure co-operation between them. It might be advisable to entrust specific tasks to a specialized laboratory. Thus, for instance, the Canadian Food and Drug Divisions of the Department had a laboratory in Ottawa equipped for spectrographic analyses and that laboratory could circulate the results of its work.

c) It would be advisable to create a small technical sub-committee to establish working standards, so that the results of various laboratories could be compared and collected. Some of the members of the committee proposed in paragraph b) would probably also be members of that sub-committee.

Mr. KRUYSSSE (Netherlands) congratulated the United States representative on the interesting memorandum submitted to the Commission. He acknowledged that he had not yet had an opportunity for thorough study of the second part of the document.

Like the Canadian representative, he thought that the documents distributed to Governments after the Commission's second session were of great interest for his country's experts. He agreed that it would not be easy to obtain specimens of opium for research, and thought that a technical commission should take up that task.

Mr. Kruyssse remarked that it was proposed on page 2 of document E/CN.7/117 (paragraph 11) to create a small committee of chemists specialists in the study of narcotic drugs. In his opinion such a body would not be entirely adequate. Such specialists would not necessarily have the general knowledge of analytical chemistry that was

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indispensable for the accomplishment of a task of that kind. The proposed committee should comprise experts in analytical chemistry as well.

Mr. HUTSON (United Kingdom), while recognizing the indisputable value of any progress in the field of the suppression of illicit traffic in narcotic drugs, regretted that he must express pessimism from the scientific point of view.

The United States annual report said that some 26 per cent of the opium seized on its territory came from India - the remainder coming from Iran, Turkey and Mexico - while Canada estimated that 96 per cent of the opium came from India. Such a marked divergence between the two percentages appeared strange and suggested that it was perhaps premature to attribute the origin of drugs to a certain country in terms of exact percentages.

Mr. Hutson entirely supported the idea of a scientific inquiry by means of chemical analysis into the origin of seized opium, but repeated that he regarded the apparent perfection of the results so far obtained with scepticism.

Replying to Mr. Hutson's remarks, Colonel SHEARMAN (Canada) declared that the scientific methods used by Canadian experts made it possible to establish the origin of narcotic drugs brought into the country. Any system was open to improvement, however, and Canada would welcome any suggestion which might lead to better methods of determining the origin of narcotic drugs.

Mr. ANSLINGER (United States of America) believed that the percentages given in the report were correct, but thought that a more thorough study was necessary. The development of modern methods of

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analysis would undoubtedly make it possible to solve the problem of establishing the origin of seized opium.

Speaking as the representative of Yugoslavia, the CHAIRMAN expressed the opinion that there was still room for improvement in the field of scientific research. He proposed that the Secretariat should prepare a draft resolution based on the memorandum submitted by the United States.

Mr. STEINIG (Director of the Narcotics Division) stated that the Secretariat would be glad to prepare such a draft, but asked for precise instructions as to its contents.

Whatever the form of the recommendation, Mr. Steinig reminded the Commission, any draft or resolution involving expenditure had to be communicated to the Economic and Social Council two weeks after the close of the Commission's present session in the form of a report accompanied by an estimate of costs.

Colonel SHAPMAN (Canada) remarked that it would be useful if Mr. Anslinger, who had great administrative experience in the problem, could collaborate with the Secretariat.

Mr. KRUYSSSE (Netherlands) proposed that, even if the Commission adopted a recommendation to create a technical

/committee

committee, the United States memorandum should be distributed to Governments to enable the experts of interested countries to study the question. It seemed to him that there were two ways to create the committee of experts. The first, and in his opinion the natural, way would be to begin by publishing the scientific documentation, to collect the views of governments interested in the question, and then to nominate the experts. The second way, which he thought artificial, would be for the Commission to recommend that the Council should nominate the experts immediately.

Mr. HSIA (China) shared Mr. Krussse's views. He thought that the documentation should be distributed to the Governments, which would offer their comments later. He did not think it was necessary to take more concrete measures at that stage.

Mr. ANSLINGER (United States of America) could not agree with the views just expressed. A decision of that kind would mean in practice that the work would depend on voluntary co-operation without definite directives. He thought that a group of experts should prescribe exact methods, so that the work of the specialists in different countries could be energetically and effectively directed.

Mr. ZAKUSOV (Union of Soviet Socialist Republics) entirely agreed that a scientific method of determining the origin of narcotic drugs could be worked out only by a committee of experts. Nevertheless, he supported the proposal to submit the documentation now in the Commission's hands to the Governments for study. The conclusions reached by the Government experts in each country would provide a basis for the adoption of a simple common method for chemical analysis of specimens of seized opium.

/Summing up

Summing up the situation, the CHAIRMAN said that two points of view had been expressed in the Commission. One favoured creation of a technical sub-committee, while the other proposed to send the available documentation to the interested Governments for study and comment.

Colonel SHARMAN (Canada) proposed that the Commission should ask the Secretariat to prepare a draft recommendation for the creation of a technical sub-committee to study the question of determining the origin of seized opium by chemical and physical processes. He suggested that the Secretariat should ask for the advice of such specialists as Mr. Fulton in preparing the draft. He emphasized the timeliness of such a body, and pointed out that it would be the experts' task to settle the points of detail arising from that decision.

Mr. HSIA (China) drew the members' attention to the fact that considerable preparatory work would be needed if the Commission adopted such a recommendation. The proposed sub-committee would include experts from a great many countries, and it would be necessary to put laboratories and materials at their disposal.

Colonel SHARMAN (Canada) shared the Chinese representative's views and emphasized the need to enlist the services of a specialist as technical adviser to the proposed sub-committee. Only thus would the Commission be able to prepare an adequate recommendation.

Mr. STEINIG (Director of the Narcotics Division) informed the members of the Commission that it would be easy to secure the services of Mr. Fulton as expert adviser, as he was a member of the Secretariat.

The CHAIRMAN requested the Secretariat to prepare a draft recommendation, taking account of views expressed by the members of the

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Commission. The Commission would resume consideration of that item of the agenda 24 hours after the Secretariat's draft was distributed, so that members would have sufficient time to study it.

GENOCIDE: FORMER JAPANESE NARCOTIC FACTORY IN MUKDEN, MANCHURIA  
(DOCUMENT E/CN.7/W.28)

Mr. STAWSKI (Poland) recalled that his delegation had already drawn attention to the need to study the possible relation between the use of narcotic drugs and the crime of genocide. It was the moral duty of the United Nations to study the danger of narcotic drugs being used for that purpose.

It would have been interesting to have full information on Japanese methods of utilizing narcotics as a weapon of war and on the extent to which that weapon was used. Although no such information was available, it was easy to imagine the damage those methods could cause.

The illustrated document (E/CN.7/W.28) conveyed an idea of the degree of organization and of the production capacity of the Mukden factory, and Mr. Stawski saw a sinister resemblance between that factory and certain other buildings which the Nazis had erected in Europe, also with the purpose of mass destruction of individuals.

Moreover, Japan was not the only country to utilize narcotics for such a purpose. Information received by the Polish Government from prisoners of war established the fact that the prisoners in certain German camps were given food containing narcotics. That illustrated the importance of the problem.

Despite those facts, there was no mention of that important aspect of the crime of genocide in the draft convention prepared by the Ad Hoc Committee on Genocide.

/Mr. Stawski

Mr. Stawski recalled that he had already referred to that omission. It was not too late to remedy it, and if the members of the Commission were agreed, it would no doubt be sufficient to draw the Economic and Social Council's attention to the omission in order to have it remedied in the final text of the Convention. The Commission on Narcotic Drugs was in duty bound to insist on inclusion of that aspect of genocide in Article II of the draft convention which listed the acts constituting genocide.

Mr. SCHWELB (Deputy Director of the Human Rights Division) informed the members of the Commission that the Ad Hoc Committee on Genocide had concluded its work only on the previous evening. Since the report and the draft convention prepared by the Committee were not going to be published for several days, he read a memorandum containing a) the articles of the draft convention defining acts constituting genocide; b) the section of the report dealing with those articles; and c) the text of a declaration by the Chinese representative referring to the narcotic drugs factory built by the Japanese in Mukden and suggesting amendments to the draft convention with a view to including the use of narcotics among the acts constituting genocide.

The CHAIRMAN announced that the Secretariat's memorandum would be distributed as soon as possible and that the Commission would resume discussion of that item of the agenda later so that members might have time to study the text in question.

The meeting rose at 5:30 p.m.