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A PROGRAMME OF STUDIES ON THE CANNABIS
PLANT AND ITS PRODUCTS

Survey of the Situation in Mozambique

Introductory Note

This survey of the cannabis situation in Mozambique is one of the series of country surveys which are being compiled by the Secretariat, with the co-operation of the Governments concerned, in pursuance of the programme of studies on the cannabis plant and its products adopted by the Commission at its eighth session.

This decision was embodied in paragraph 183 of the Commission's report (E/2423 - E/CN.7/262) of which the Council took note in resolution 505 A (XVI) of 28 July 1953.

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A PROGRAMME OF STUDIES ON THE CANNABIS
PLANT 1/ AND ITS PRODUCTS

SURVEY OF THE SITUATION IN MOZAMBIQUE

LIST OF SOURCES CONSULTED BY THE SECRETARIAT

(Numbers at left are used for reference purposes throughout the survey)

1. Portaria (Order) No. 2,054 published in the Boletim Oficial of 19 September 1914.
2. Diploma Legislativo (Legislative Order) No. 218 published in the Boletim Oficial of April 1930.^{2/}

1/ The terminology used for this survey differs from that previously employed in international treaties and by the Secretariat. The old and new terminologies are given below:

<u>Substance</u>	<u>Former Terminology</u>	<u>Present Terminology</u>
(a) the plant <u>Cannabis sativa</u> , L. Indian hemp plant		<u>Cannabis sativa</u> , L., or Cannabis plant.
(b) the dried flowering or fruiting tops of the plant <u>Cannabis sativa</u> , L. from which the resin has not been extracted (in certain instances, especially as regards the illicit traffic, this term has been extended to include other parts of the plant <u>Cannabis sativa</u> , L., e.g. the tender leaves and upper stems, which may have been mixed with the tops);	Indian hemp	Cannabis
(c) the resin of the plant <u>Cannabis sativa</u> , L.	Resin of the Indian hemp plant; Indian hemp resin	Cannabis resin
(d) extract and tincture made from the dried flowering or fruiting tops of the plant <u>Cannabis sativa</u> , L.	Galenical preparation (extract and tincture) of Indian hemp	Cannabis extract Cannabis tincture

This terminology was approved by the Commission at its ninth session held in 1954, although it reserved the right to make further changes during its consideration of the draft Single Convention on Narcotic Drugs.

2/ Although this legislation has been superseded by 3, the extract of the latter available to the Secretariat was incomplete. Accordingly, data were gathered from this legislation to fill the gaps in case they have been embodied in the more recent regulations.

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3. Regulations for the Practice of Pharmacy, adopted by Diploma Legislativo (Legislative Order) No. 775 of 24 December 1941. (E/NL. 1948/9)
4. Annual Report for 1952 (document E/NR.1952/44).
5. Annual Report for 1953 (document E/NR.1953/1).
- 5(a) Annual Report for 1954.
- 5(b) Annual Report for 1955.
6. Permanent Central Opium Board, Addendum to the Report to the Economic and Social Council on Statistics of Narcotics for 1947 and the work of the Board in 1948 (document E/OB/4/Addendum).
7. Permanent Central Opium Board, Addendum to the Report to the Economic and Social Council on Statistics of Narcotics for 1948 and the work of the Board in 1949 (document E/OB/5/Addendum).
8. Permanent Central Opium Board, Addendum to the Report to the Economic and Social Council on Statistics of Narcotics for 1949 and the work of the Board in 1950 (document E/OB/6/Addendum).
9. Permanent Central Opium Board, Addendum to the Report to the Economic and Social Council on Statistics of Narcotics for 1950 and the work of the Board in 1951 (document E/OB/7/Addendum).
10. Permanent Central Opium Board, Addendum to the Report to the Economic and Social Council on Statistics of Narcotics for 1951 and the work of the Board in 1952 (document E/OB/8/Addendum).
11. Permanent Central Opium Board, Addendum to the Report to the Economic and Social Council on Statistics of Narcotics for 1952 and the work of the Board in 1953 (document E/OB/9/Addendum).
- 11(a) Permanent Central Opium Board, Addendum to the Report to the Economic and Social Council on Statistics of Narcotics for 1953 and the work of the Board in 1954 (document E/OB/10/Addendum).
- 11(b) Permanent Central Opium Board, Addendum to the Report to the Economic and Social Council on Statistics of Narcotics for 1954 and the work of the Board in 1955 (document E/OB/11/Addendum).
12. Report of the Inter-Departmental Committee on the Abuse of Dagga, the Government Printer, Pretoria, Union of South Africa, 1952.
13. Note No. 736 of 27 October 1955 of the Embassy of Portugal, Washington, D.C., U.S.A.

A. THE CANNABIS PLANT: ITS CULTIVATION AND WILD GROWTH^{3/}

- I. Agricultural Considerations: No information.
- II. Licit Cultivation: The cultivation of the cannabis plant and all trade in such plants are prohibited. (1; 2, Art.2; 3, Article 59; 13).
- III. Illicit Cultivation:
 - (a) Location and Extent of Areas Illicitly Cultivated:
Small cultivated patches are sometimes found. (4, 5, 5(a), Chapter IX).
 - (b) Purpose or Purposes of Illicit Cultivation:
No information.
 - (c) Methods Used to Conceal Cultivation:
No information.
 - (d) Administrative Measures Employed to Detect and Suppress Illegal Cultivation:
Control is mainly in the hands of the administrative authorities because their duties bring them into closer touch with the indigenous inhabitants. The clandestine cultivations are destroyed by fire, and severe penalties, including even imprisonment, are imposed on the cultivators. (4, 5, 5(a), Chapter IX).
 - (e) Information about Known Cultivators: Number, Age-level ~~XXXXXX~~ Distribution, Sex, Economic and Social Level:
No information.
- IV. Wild Growth: The cannabis plant grows wild throughout the territory (4, 5, 5(a), Chapter IX).

B. THE PRODUCTION OF HEMP FIBRE AND HEMP SEED FROM THE CANNABIS PLANT

Present Situation: Since cultivation of the cannabis plant is prohibited, there can be no legal production of hemp fibre or seed. (1; 2, Art.2; 3, Art.59).

^{3/} The cannabis plant and cannabis are known locally as "bange", "bhang", "Suruma", "hashish" or "bangué" (1, 1; 2, 2; 3, 59; 5(b), Chapter IX).

C. THE LEGAL PRODUCTION OF CANNABIS, CANNABIS RESIN AND PREPARATIONS CONTAINING THEM AND THE PURPOSES FOR WHICH THEY ARE USED

Present Situation: It is assumed that the legislation now in force in Mozambique prohibits cultivation, importation, sale and consumption of not only the cannabis plant, but also of all harmful parts of the plant, e.g. cannabis, cannabis resin, and of non-medical preparations made from cannabis or cannabis resin. If this assumption is correct, production of such substances would be indirectly prohibited. (1; 2, Art.2; 3, Art.59).

D. INTERNATIONAL TRADE IN THE CANNABIS PLANT AND ITS RESINOUS PRODUCTS AND PREPARATIONS CONTAINING CANNABIS

I. Exports: There has been little or no export of cannabis, its resin, cannabis extract and tincture or preparations containing them during the years 1947 and 1949-1951. No narcotics of any kind were exported during the years 1952-1955 (4; 5; 5(a), 5(b), Chapter III; 6, p.39; 8, p.20; 9, p.19; 10, p.21; 11, p.23; 11(a) p.25; 11(b), p.25).

II. Imports: The import of cannabis is prohibited (1, 1; 2, Art.2; 3, Art.59), but the import of cannabis extract and tincture is permitted. Importations, if any, were less than 1 kilogramme during each of the years 1947 and 1949-1951. In 1953, 105 grammes of cannabis extract and tincture were imported from the United Kingdom of Great Britain and Northern Ireland, while none was imported in 1954 and 1955. (5, 5(a), 5(b), Chapter IX, 6, p.39; 7, p.20; 8, p.20; 9, p.19; 10, p.21; 11, p.23; 11(a), p.25; 11(b), p.25).

E. THE MANUFACTURE OF CANNABIS EXTRACT AND TINCTURE AND OF PREPARATIONS CONTAINING THEM; THE EXTENT OF THEIR USE; AND THEIR ROLE IN PRESENT-DAY MEDICINE

I. The Manufacture of Cannabis Extract and Tincture and of Preparations Containing Them: Narcotic drugs are not manufactured in Mozambique (4, 5, 5(a), Chapter X).

II. The Consumption of Cannabis Extract and Tincture and of Preparations Containing Them and the Stocks Maintained: The following table indicates the quantities of cannabis^{4/} imported, kept in stock, consumed and exported:

Year	Stock (Jan.1)	Import	Consumption	Exports	Source
1947	1 kg.	*	*	*	6,p.39
1948	?	?	?	?	7,p.20
1949	*	*	1	*	8,p.20
1950	1 kg.	*	*	*	9,p.19
1951	*	*	*	*	10,p.21
1952	1 kg.	**	**	**	11,p.23
1953	?	105 g.	?	?	5,Ch.IX
1954	?	-	?	-	5(a),Ch.III and IX
1955	?	-	?	-	5(b),Ch.III and IX

* The sign "-" signifies "nil" or an amount under one kilogramme.

** Incomplete.

4/ Paragraph 5 of the Explanatory Note to Table XII 11(b) reads in part as follows:

"5. The scope of the information requested under the convention [i.e. the International Opium Convention signed at Geneva on 19 February 1925] varies from substance to substance:

.....

"Cannabis. As far as cannabis, its resin and preparations are concerned, only the imports, exports and confiscations, effected on account of illicit exports and imports are to be reported to the Board [i.e. the Permanent Central Opium Board]. The statistics relating to the galenical preparations of cannabis are more complete but do not include manufacture. Thus it is not possible to strike a balance. The figures . . . [relating to consumption and stocks] . . . refer only to galenical preparations".

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III. The Role of Cannabis in Present-Day Medicine:

- (a) Internal Use: No information.
- (b) External Use: No information.
- (c) Lay Opinions on the Medicinal Uses of Cannabis: No information.
- (d) Uses in Veterinary Medicine: No information.

F. THE NON-MEDICAL USE OF CANNABIS, CANNABIS RESIN, AND PREPARATIONS CONTAINING THEM: LEGAL CONSUMPTION AND ARRANGEMENTS PROVIDING FOR IT

The consumption of cannabis, cannabis resin, and presumably of the non-medical preparations containing them, is prohibited. (1; 2, Art.2; 3, Art.59).

G. THE NON-MEDICAL USE OF CANNABIS, CANNABIS RESIN, AND PREPARATIONS CONTAINING THEM: ILLICIT TRAFFIC AND CONSUMPTION

I. Origin of the Illicit Traffic:

- (a) Within the Territory of Mozambique: See Part A, Section III (a), above.
- (b) Union of South Africa: No information.
- (c) Swaziland: No information.
- (d) Southern Rhodesia: No information.^{5/}
- (e) Northern Rhodesia: No information.
- (f) Nyasaland: No information.
- (g) Tanganyika Territory: No information.

II. Nature of Cannabis Used Illicitly and Methods of Consumption:

No information.

III. Quantities of Cannabis Seized in the Illicit Traffic and Location of Seizures:

- (a) Quantities Seized: It has been reported that in 1953, 1954 and 1955 there were no seizures of any narcotic drugs. (5; 5(a); 5(b)).
- (b) Disposal of Contraband: When illicitly-cultivated cannabis plants are discovered, they are destroyed by fire. (4; 5, 5(a), Chapter IX).

IV. Number of Persons Prosecuted for Cannabis Offences: No information.

^{5/} The three constituent parts of the Federation of Rhodesia and Nyasaland are listed separately since the information available in the Secretariat on the drug situation in the Federation generally relates specifically either to Northern Rhodesia, Southern Rhodesia or Nyasaland.

- V. Information about Persons Consuming Cannabis:
- (a) Sex of Addicts: No information.
 - (b) Economic and Social Level: No information.
 - (c) Age-Level Distribution: No information.
- VI. The Illicit Trafficker and the Methods Used by him:
- (a) Organization of the Illicit Traffic: No information.
 - (b) The Illicit Trafficker: No information.
 - (c) The Routes Used by the Illicit Trafficker: No information.
 - (d) The Methods Used by the Illicit Trafficker: No information.
- VII. Judicial Proceedings, Convictions and Sentences:
- (a) Judicial Proceedings: Prosecutions of cases involving cannabis extract or tincture or preparations containing them are undertaken in accordance with Chapter VIII of the Regulations for the Practice of Pharmacy. (3). Prosecutions of cases involving other forms of cannabis or cultivation of the cannabis plant are undertaken in accordance with paragraphs 2 or 3 of the Order No. 2054 of 19 September 1914. (1).
 - (b) Convictions: No figures are available.
 - (c) Sentences:
 - 1. Statutory Provisions: See Part H, Section X, below.
 - 2. Current Practice: No information.
- VIII. Administrative Measures Employed to Detect or Suppress the Illicit Traffic and Illicit Consumption: No information.
- IX. Prices of Cannabis in the Illicit Traffic: No information.
- X. Illicit Exports:
- (a) Quantities Exported and Countries Affected:
 - 1. Union of South Africa: It is reported that there is an inflow of cannabis from Mozambique. (12, paras. 92-94, 105, 202 and 345).
 - 2. Swaziland: It is reported that there is an inflow of cannabis from Mozambique (12, paras. 92-94, 105, 202 and 345).
 - 3. Southern Rhodesia: No information.
 - 4. Northern Rhodesia: No information.
 - 5. Nyasaland: No information.
 - 6. Tanganyika Territory: No information.
 - (b) Preventive Measures: No information.

H. NATIONAL LEGAL PROVISIONS FOR CONTROLLING THE CANNABIS PLANT AND ITS PRODUCTS

- I. List of Legal Provisions: Portaria (Order) No. 2,054 of 19 September 1914; Diploma Legislativo (Legislative Order) No. 218 of 5 April 1930; Regulations for the Practice of Pharmacy, adopted by Diploma Legislativo (Legislative Order) No. 775 of 24 December 1941. (1, 2, 3).
- II. Scope of the Legal Provisions:
 - (a) The Cannabis Plant: Order No. 2,054 and the Regulations for the Practice of Pharmacy apply to this plant. (1, 1; 3, 59).
 - (b) Cannabis, Cannabis Resin, and their Preparations: Order No. 2,054 and the Regulations for the Practice of Pharmacy apply to cannabis, cannabis resin and their preparations. (1, 1; 3, 59).
 - (c) Cannabis Extract and Tincture: The provisions of Legislative Order No. 218 apply to cannabis extract and tincture. (2, 2).
- III. The Cultivation of the Cannabis Plant: Cultivation of the cannabis plant is prohibited. (1, 1; 3, 59).
- IV. The Production of Cannabis, Cannabis Resin and their Preparations:
See Part C, Section I, above.
- V. The Manufacture or Compounding of Cannabis Extract and Tinctures and of Preparations Containing Them: The legislation indicates that such manufacture is permitted; a special register of the quantities of each drug manufactured or compounded must be kept. (3, 57, 66).
- VI. International Trade in the Cannabis Plant and its Products:
The importation and the sale of the cannabis plant are prohibited, and it is assumed that this prohibition covers export and also that these prohibitions refer to cannabis, cannabis resin, and non-medical preparations containing them as well. Cannabis extract and tincture may be imported by pharmacists in technical charge of pharmacies or pharmaceutical laboratories, doctors, veterinary surgeons, or pharmacists in charge of scientific laboratories, and managers of wholesale firms, or representatives of firms processing narcotic drugs or preparations if certain prerequisites of registration and general authorization by the Directorate of Health Services have been met; but each specific request must also be approved by the Directorate.

Import applications must indicate the customs house in Mozambique through which the goods will pass, and the Government may issue a certificate stating that the drugs concerned are to be used for medical and scientific purposes. The re-exportation of those substances is prohibited, although pharmacies and pharmaceutical laboratories in which they are processed or manufactured may export them after receiving the approval of the Board of Health and Hygiene. Export applications must indicate the customs office through which shipment will be made and include a declaration certifying that it has been authorized by the country of destination. Importers must submit to the Inspectorate of Pharmacies detailed quarterly reports of the drugs they import. (1, 1; 3, 57-61, 66-68).

VII. Internal Trade in and Distribution of the Cannabis Plant and Its

Products: All trade in and distribution of these substances is prohibited, except as regards cannabis extract and tincture and their preparations. (1, 1; 3, 59, Schedule "D").

(a) Wholesale Trade and Distribution: Drug warehouses, drug distributors, pharmaceutical laboratories and pharmacies supplying other pharmacies must be registered and also authorized in the same way as importers to engage in the wholesale trade in cannabis extract and tincture and their preparations. (2, 5). Wholesalers may sell such drugs for medicinal, pharmaceutical or scientific purposes alone and only to duly-registered pharmacies or laboratories manufacturing pharmaceutical products on the basis of an order from the pharmacist in charge and to scientific institutions on the basis of an order from the director. Detailed quarterly returns of purchases and sales are submitted to the Inspectorate of Pharmacies. (3, 62 and 66).

(b) Retail Trade: Cannabis drugs may be sold for legitimate medicinal, pharmaceutical or scientific purposes alone. Only registered pharmacies may supply the public with these drugs, and only on the basis of a prescription from a qualified physician or veterinary surgeon. Prescriptions must be recorded in a special register and may not be refilled without written authorization

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from a physician on each occasion. Doctors may also order them from pharmacies for use in their consulting rooms, but must account for their use. Pharmacies are to submit quarterly returns of the quantities sold including the numbers of the relevant prescriptions. (2, 5; 3, 62, 63, 66).

VIII. Possession of the Cannabis Plant and Its Products: It is interpreted that the prohibition of importation, cultivation, consumption and sale of the cannabis plant, including cannabis and cannabis resin, would have the indirect effect of prohibiting possession. The possession of cannabis extract and tincture and their preparations is forbidden except in the circumstances envisioned by the narcotics control legislation. (1, 1; 3, 57-63, 66-68, 83).

IX. Use (Consumption) of Cannabis and Its Products: Consumption of the cannabis plant (presumably those parts, e.g. cannabis and cannabis resin, that are consumable) is prohibited. Consumption of cannabis extract and tincture and their preparations is limited to legitimate medicinal, pharmaceutical or scientific purposes. (1, 1; 3, 59, 62).

X. Enforcement Provisions:

(a) Penalties: Those convicted of offences involving the cannabis plant, cannabis and cannabis resin are liable to a fine not exceeding 100 escudos which is imposed by the administrative authorities; indigenous inhabitants, however, are liable to correctional imprisonment for a term of not more than 120 days or to a fine of 1 escudo per day in lieu thereof. (1, 2, 3). Anyone found guilty of importing, exporting, possessing, preparing or dealing in cannabis extract or tincture or their preparations without the authority so to do is liable to imprisonment in the second division for not less than six months or more than one year and to a fine of between 5,000 and 10,000 escudos except for minor infractions, fines, ranging from 200 to 5,000 escudos without imprisonment are provided. Proprietors of hotels, cafes, etc., who permit the use of or traffic in such substances on their premises shall be liable to the stricter range of penalties, and

the establishment must be closed for at least one year. The penalties providing for imprisonment may not be suspended. (2, 13; 3, 83).

- (b) Powers of Enforcement: The health, administrative, customs, police and other authorities are responsible for enforcing the foregoing legal provisions and are to afford all possible assistance to the Inspectors of Pharmacies to this end. (3, 107).
