

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL

E/CN.7/286/Add.10/Rev.1
12 March 1958

Original: ENGLISH



COMMISSION ON NARCOTIC DRUGS
Thirteenth session
Item 10 of the provisional agenda

A PROGRAMME OF STUDIES ON THE CANNABIS
PLANT AND ITS PRODUCTS

Survey of the Situation in Mozambique

Introductory Note

The present survey is one of the series 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. The decision is 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.

This revised version of the survey of the situation in Mozambique has been prepared because, after publication of the original document (E/CN.7/286/Add.10), additional comments and information were received from the Portuguese authorities.

TABLE OF CONTENTS

	<u>Pages</u>
LIST OF SOURCES CONSULTED BY THE SECRETARIAT	3 - 4
A. THE CANNABIS PLANT: ITS CULTIVATION AND WILD GROWTH	5 - 6
B. THE PRODUCTION OF HEMP FIBRE AND HEMPSEED FROM THE CANNABIS PLANT	6
C. THE LEGAL PRODUCTION OF CANNABIS, CANNABIS RESIN AND PREPARATIONS CONTAINING THEM AND THE PURPOSES FOR WHICH THEY ARE USED	6
D. INTERNATIONAL TRADE IN THE CANNABIS PLANT AND ITS RESINOUS PRODUCTS AND PREPARATIONS CONTAINING CANNABIS	6
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	6 - 8
F. THE NON-MEDICAL USE OF CANNABIS, CANNABIS RESIN, AND PREPARATIONS CONTAINING THEM: LEGAL CONSUMPTION AND ARRANGEMENTS PROVIDING FOR IT	8
G. THE NON-MEDICAL USE OF CANNABIS, CANNABIS RESIN, AND PREPARATIONS CONTAINING THEM: ILLICIT TRAFFIC AND CONSUMPTION	8 - 10
H. NATIONAL LEGAL PROVISIONS FOR CONTROLLING THE CANNABIS PLANT AND ITS PRODUCTS	11 - 14

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. Information furnished by the Portuguese authorities and sent by the Portuguese Legation in Berne by note dated 20 April 1957, and by the Portuguese Permanent Delegate to the Economic Commission for Europe by letter dated 12 February 1958.

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 preparations (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. 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.
- 5(c). Annual Report for 1956.
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 the Work of the Board in 1955 (document E/OB/11/Addendum).
- 11(c). Permanent Central Opium Board, Addendum to the Report to the Economic and Social Council on the Work of the Board in 1956 (document E/OB/12/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, DC, USA.

A. THE CANNABIS PLANT: ITS CULTIVATION AND WILD GROWTH 2/

- I. Agricultural considerations: The cannabis plant grows in tropical regions on land which is well drained but not dry. (2).
- II. Licit cultivation: The cultivation of the cannabis plant and all trade in such plants are prohibited. (1, Article 1; 2; 3, Article 59; 13).
- III. Illicit cultivation:
 - (a) Location and extent of areas illicitly cultivated: Clandestine crops are grown in small areas but they are immediately destroyed when found, and heavy sentences imposed on the cultivators when identified. (2; 4; 5; 5(a), Chapter IX).
 - (b) Purpose or purposes of illicit cultivation: Illicit cultivation is reported to be for the personal use of the cultivator or his family group. (2).
 - (c) Methods used to conceal cultivation: The plants are intermingled with food crops in remote places difficult of access. (2).
 - (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 close touch with the indigenous inhabitants. The clandestine cultivations are destroyed by fire, and severe penalties, including imprisonment, are imposed on the cultivators. (4; 5; 5(a), Chapter IX). In addition, propaganda is conducted by the administrative authorities drawing attention to the harm caused by the use of the drug. (2).
 - (e) Information about known cultivators: number, age-level distribution, sex, economic and social levels: The known cultivators are few in number, mostly males over forty years of age, are found in remote rural areas, and come from the lower economic and social levels. (2). See subsection (b) above, and Part G (V) below.
- IV. Wild growth: The available information is contradictory, the plant being variously reported to grow wild or to be cultivated. Mozambique

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

covers an area of 771,125 sq.km and the land rises gradually from east to west with clearly distinguishable zones of cultivation. The climatic range and the geological diversity of the ground explain the possibility of cannabis growing wild in certain regions and being clandestinely cultivated in others. (2).

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

Present situation: Cultivation of the cannabis plant is prohibited for any purpose whatever. (1 and 2).

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

Present situation: The legislation now in force in Mozambique prohibits not only the cultivation of the cannabis plant, but also the importation, sale and consumption of all harmful parts of the plant, e.g. 'cannabis, cannabis resin, and of non-medical preparations made from cannabis or cannabis resin. Production of such substances is therefore indirectly prohibited. (1; 2; 3, Article 59).

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

I. Exports: There being no production, there has been no exportation, and re-exportation is prohibited. (2; 3, Article 67).

II. Imports: Import of cannabis extract and tincture is permitted for medicinal purposes only and by authorization of the authorities concerned. (2). For consumption, import and stocks, see table in Part E, Section II.

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 (2; 4; 5; 5(a) and 5(b), Chapter X; 5(c), Chapter V.)

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 ^{3/}imported, kept in stock and consumed.

Year	Stock (1 January)	Import	Consumption	Source
1947	1 kg	- *	- *	<u>6</u> , p.39
1948	?	?	?	<u>7</u> , p.20
1949	- *	- *	1	<u>8</u> , p.20
1950	1 kg	- *	- *	<u>9</u> , p.19
1951	- *	- *	- *	<u>10</u> , p.21
1952	1 kg	- **	- **	<u>11</u> , p.23
1953	?	105 g	?	<u>5</u> , Ch.IX
1954	?	nil	?	<u>5(a)</u> , Ch.IX <u>11(b)</u> , p.25
1955	- *	1 kg	- *	<u>11(c)</u> , p.25

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

** Incomplete figures. The sign " ? " indicates that there is no information.

3/ Paragraph 5 of the Explanatory Note to the tables of figures given in the reports of the Permanent Central Opium Board 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."

III. The rôle of cannabis in present-day medicine:

- (a) Internal use: There is no internal use. (2).
- (b) External use: External use is rare, and only as a local sedative in ointments for treating corns. (2).
- (c) Lay opinions on the medicinal uses of cannabis: There is little interest. (2).
- (d) Uses in veterinary medicine: There is no use of cannabis for veterinary purposes. (2).

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 non-medical preparations containing them, is prohibited. (1; 2; 3, Article 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. Consumption is prohibited and suppressed. There is no information as to the existence of organized illicit traffic. (2).
- (b) Union of South Africa: No information.
- (c) Swaziland: No information.
- (d) Southern Rhodesia: 4/ No information.
- (e) Northern Rhodesia: 4/ No information.
- (f) Nyasaland: 4/ No information.
- (g) Tanganyika: No information.

II. Nature of cannabis used illicitly and methods of consumption: The cannabis used illicitly is in the form of dry leaves and shredded material, which are smoked, sometimes as cigars. (2).

4/ 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.

III. Quantities of cannabis seized in the illicit traffic and location of seizures:

- (a) Quantities seized: There being no illicit traffic, there have been no seizures in it. There have only been seizures of plants in places where cultivation was suspected, and then in small numbers. (2).
- (b) Disposal of contraband: When illicitly-cultivated cannabis plants are discovered, they are destroyed by fire. (2; 4; 5; 5(a), Chapter IX).

IV. Number of persons prosecuted for cannabis offences: The use of cannabis is confined to a few natives. During the period 1945-1953, four natives were tried at the Gúruè Post, Zambesi District, for the use of cannabis but not illicit traffic in it. These proceedings were brought by the administrative authorities under paragraph 2 of Order No.2054 of 19 September 1914. (1 and 2).

V. Information about persons consuming cannabis: The known consumers are males over forty years old and of the lower economic and social levels. (2). See also Part A (III), above.

VI. The illicit trafficker and the methods used by him:

- | | |
|--|---|
| (a) <u>Organization of the illicit traffic:</u> | } There is no organized illicit traffic. (2). |
| (b) <u>The illicit trafficker:</u> | |
| (c) <u>The routes used by the illicit trafficker:</u> | |
| (d) <u>The methods used by the illicit trafficker:</u> | |

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). There is no knowledge of any violations of the law resulting in proceedings being taken by the judicial authorities. (2). See, however, Section IV above, relating to proceedings brought by the administrative authorities.

(b) Convictions: Nil. (2).

(c) Sentences:

1. Statutory provisions: See Part H, Section X, below.
2. Current practice: Current practice is in accordance with the statutory provisions. (2).

VIII. Administrative measures employed to detect or suppress the illicit traffic and illicit consumption: Rigorous measures are employed to suppress the use of cannabis, including propaganda among the natives on the harm of addiction. (2).

IX. Prices of cannabis in the illicit traffic: No information.

X. Illicit exports:

(a) Quantities exported and countries affected:

1. Union of South Africa: No organized traffic exists. It is possible that some of the workers who go to work in the Rand (the mining area of the Union of South Africa) carry small quantities for their own use, and it is also possible that they carry small quantities into Mozambique on their return. (2; 12).
2. Swaziland: There is no organized traffic, although it is possible that some of the inhabitants of Mozambique who emigrate to Swaziland as workers carry small quantities for their own use. It is equally possible that they carry small quantities from Swaziland on their return to Mozambique. (2; 12).
3. Southern Rhodesia: ^{4/} There is no organized traffic. (2).
4. Northern Rhodesia: ^{4/} There is no organized traffic. (2).
5. Nyasaland: ^{4/} There is no organized traffic. (2).
6. Tanganyika: There is no organized traffic. (2).

(b) Preventive measures: Strict instructions are given to administrative, customs and other frontier authorities responsible for preventing the traffic. (2).

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; Regulations for the Practice of Pharmacy, adopted by Diploma Legislativo (Legislative Order) No.775 of 24 December 1941. (1; 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 and preparations of the extract and tincture: These substances are included in Schedule D (item 15) annexed to Diploma Legislativo No.775. (2; 3).
- 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, above.
- V. The manufacture or compounding of cannabis extract and tinctures and of preparations containing them: The legislation indicates that such manufacture and compounding are permitted; a special register of the quantities of each drug manufactured or compounded must be kept. (2; 3, 57, 66).
- VI. International trade in the cannabis plant and its products: The importation and sale of the cannabis plant are prohibited, and this prohibition covers export and also includes cannabis, cannabis resin, and non-medical preparations containing them. 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; 2; 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; 2; 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. 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). Warehouses may sell drugs to pharmacies or to pharmaceutical laboratories. (2).

(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 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; 3, 62, 63).

- VIII. Possession of the cannabis plant and its products: The prohibition of importation, cultivation, consumption and sale of the cannabis plant, including cannabis and cannabis resin, has the indirect effect of prohibiting possession. The possession of cannabis extract and tincture and their preparations is forbidden except in the circumstances envisaged by the narcotics control legislation. (1, 1; 2; 3, 57-63, 67-78, 83).
- IX. Use (consumption) of cannabis and its products: Consumption of the cannabis plant (and 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; 2; 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, possession, 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 that for minor infractions, fines, ranging from 500 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; 3, 83). 28.75 escudos = 1 US dollar.

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