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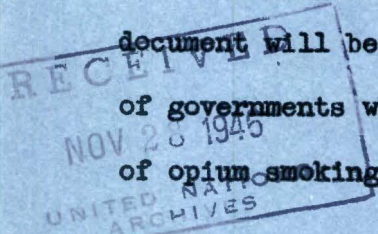
Limitation of the Production of Raw Materials
(opium and coca leaf) used in the Manufacture of Narcotic Drugs

(Item 12 of the Provisional Agenda)

MEMORANDUM BY THE SECRETARIAT

Note by the Assistant Secretary-General in Charge
of the Department of Social Affairs

1. To facilitate the discussion of this item by the Commission the Secretariat has drawn up the present memorandum containing, in Part I, a brief historical note on the work accomplished in this field by the Advisory Committee on the Traffic in Opium and Other Dangerous Drugs of the League of Nations.
2. In Part II the memorandum refers to the initiative of the Government of the United States of America which, in 1944, addressed Notes to a number of governments with a view to expediting and promoting an international agreement to prohibit the cultivation of the opium poppy except for medical and scientific needs. These Notes, together with the replies of the governments concerned and other relevant documents transmitted by the Government of the United States to the Secretary-General of the United Nations, will be submitted to the Commission in a separate document.
3. As the prohibition of opium smoking in Far Eastern territories has a bearing on the total amount of opium required each year, a separate document will be submitted to the Commission containing the declarations of governments which have decided to adopt a policy of complete prohibition of opium smoking in their territories in the Far East and consequently of



discontinuing the prepared opium monopolies in these territories.

4. In the Annex to the present memorandum are listed documents issued by the League of Nations relating to the problem of limitation of raw materials from which narcotic drugs are manufactured.

Limitation of the Production of Raw Materials (Opium and coca-leaf)
used in the Manufacture of Narcotic Drugs

I.

1. The Assembly of the League of Nations, recognizing the necessity of placing under international control the production of the raw materials used in the manufacture of narcotic drugs, adopted, at its twelfth session (September 1931), the following resolution:*

"The Assembly,

"Taking note of the wish of certain Governments that a conference should meet in the near future to consider the possibility of limiting and controlling the cultivation of the opium-poppy and the cultivation and harvesting of the coca-leaf; and

"Taking note also of the decision reached by the Council at its sixty-second session, in January 1931, to ask the Advisory Committee on the Traffic in Opium and Other Dangerous Drugs to consider the possibility of summoning a conference of the Governments concerned and to report to the Council on the subject:

"Asks the Advisory Committee on the Traffic in Opium and Other Dangerous Drugs and the competent Sections of the Secretariat of the League of Nations to undertake, as soon as possible, the collection of all material that may serve as a basis for the discussions of a Conference on the Limitation of the Production of Opium and the cultivation and harvesting of the coca-leaf, and for that purpose to send a questionnaire to the Governments Members and non-members of the League."

At this time the Convention of 19 February 1925 had been in force about three years and the Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, to come into force in 1933, had been signed a few weeks previously, on 13 July 1931.

2. Steps to carry out the above-quoted resolution were taken by the

* Document A.65.1931.V. p.3.

Advisory Committee* at its fifteenth session (April-May 1932), and the work was continued without interruption until 1940; account of the progress made was rendered each year by the Advisory Committee in its report to the Council of the League of Nations.

3. In order to obtain from different countries precise and comparable statistics and other relevant data, the Advisory Committee decided to draw up two questionnaires, one to be sent to the countries producing opium and the other to those producing coca leaves.

These two questionnaires** were approved by the Council of the League of Nations on 22 September 1933, and despatched to the governments concerned on 19 December 1933 under covering letters Nos. C.L.234.1933.XI. and C.L.229.1933.XI. respectively.

4. Study by the Advisory Committee of the documentary material relating to this problem resulted in the adoption by it (twelfth session May-June 1936) of the following resolution:***

"The Advisory Committee on Traffic in Opium and other Dangerous Drugs,

"Considering that the studies carried out and the documentary material collected with a view to limitation and control of the cultivation of the opium poppy on the one hand and the cultivation and harvesting of the coca leaf on the other hand have shown that these two questions present themselves under different aspects and possess different economic characteristics;

"Considering that, in regard to the opium poppy, measures of controlling cultivation are urgently needed;

"Considering, on the other hand, that the control of the cultivation and harvesting of the coca leaf are unlikely to become applicable in the near future on account of the special circumstances connected with its production:

* Throughout this memorandum the expression "Advisory Committee" has been used for "Advisory Committee on the Traffic in Opium and Other Dangerous Drugs" of the League of Nations.

** Documents C.640.M.302.1933.XI. (opium) and C.641.M.303.1933.XI. (coca leaves).

*** Document C.278.M.168.1936.XI., Section V.p.17.

"Decides:

"(1) To propose to the Council that the two problems should be dissociated from each other;

"(2) To continue the studies and the collection of documentary material relating to control of the cultivation of the opium poppy with a view to convening at as early a date as possible a conference for the limitation and control of this raw material;

"(3) To adjourn to a later date the problem of the control of the coca leaf, while nevertheless considering that the studies relating to this problem should be continued."

The question of the limitation of the production of coca leaves has thus been dissociated from that of the production of opium for practical reasons, and the Advisory Committee, in its later work in this field, dealt only with the opium poppy and opium.

5. The following opium-producing countries furnished replies to the questionnaire mentioned in paragraph 3 above: Bulgaria, China, Korea, Greece, Hungary, India, Japan, Turkey, the U.S.S.R., Yugoslavia. A list of the League of Nations documents containing these replies is given in the Annex to the present memorandum.

6. The Advisory Committee examined the material placed at its disposal by governments and special studies prepared by the Secretariat on the basis of annual reports furnished by governments to the League of Nations and statistics forwarded to the Permanent Central Opium Board under the 1925 and 1931 Conventions.

At its twenty-third session (June 1938) the Advisory Committee drew up a report containing a survey of the main principles on which a convention for the limitation and control of poppy cultivation and the production of raw opium and the control of other raw materials for the manufacture of opium alkaloids might be based.*

When communicating this document to all governments by his letter of 12 October 1938 (C.L.192.1938.XI) the Secretary-General of the

* Document C.221.M.123.1938.XI.

League of Nations invited them to submit any remarks and observations suggested by the principles laid down by the Advisory Committee so that the latter, at its next session, might be in a position to begin the drafting of a convention. Replies were received by the Secretariat from thirty-two countries and eight territories. The documents containing these replies are listed in the Annex to the present memorandum.

7. At its twenty-fourth session (May-June 1939) the Advisory Committee drew up a draft of the principal articles which could be embodied in a convention for limiting and controlling the cultivation of the opium poppy and the production of raw opium and controlling other raw materials used in the manufacture of opium alkaloids. This draft, together with a statement of the general principles underlying it, explanatory notes on some of the articles and the observations of certain governments, are embodied in the League of Nations document No..C.175.M.104.1939.XI., which is being distributed to members of the Commission on Narcotic Drugs together with this memorandum.

8. Finally, the Advisory Committee, in its report to the Council of the League of Nations on the work of its twenty-fifth and last session (May 1940)* stated:

The Committee also considered the question of the action to be taken regarding the preparatory work for a conference to consider the possibility of limiting and controlling the cultivation of the opium poppy and the production of raw opium and of controlling other raw materials for the manufacture of opium alkaloids. It believes that, though it is obviously impossible to think at the moment of holding the proposed conference, the Secretariat might, as far as its resources permit, pursue its studies with a view to completing the preliminary draft convention on a number of points which were left in suspense. The Committee would thus be able to resume its work as soon as circumstances permitted.

This work however, had, on the whole, to be discontinued in May 1940, owing to the impossibility of the Advisory Committee meeting and the Secretariat of carrying on fully its work on account of the prevailing

* Document C.221.M.123.1938.XI.

circumstances.

9. The documents used by the Advisory Committee in its preparatory work are listed in the Annex to the present memorandum. They have been distributed to governments and copies are held by the secretariat of the Commission on Narcotic Drugs at the disposal of those of its members which might wish to consult them.

II.

1. The draft of the principal articles which might be embodied in the opium limitation convention, as drawn up by the Advisory Committee in 1939, left unsolved a number of important problems on which agreement could not be reached or which required further study.

(i) Thus the Advisory Committee was unable to reach any definite conclusion as to whether production and export of opium should be allocated to producing and exporting countries by an international control authority under a "quota system" or a "free order system".* The Advisory Committee consequently submitted alternative articles on this subject and it was understood that, should the "quota system" be adopted, an annex to the Convention would contain rules as to the method of establishing quotas, the amount of these quotas and provisions for their revision.

(ii) The Advisory Committee agreed that under both systems (quota or free order) the regulation of opium prices is essential in the interests both of opium producing countries and of consuming countries. It therefore decided that the convention should contain provisions relating to the regulation of prices and referred the question to the secretariat for further study in collaboration with experts from opium producing countries.

* Document C.175.M.104.1939.XI. pp. 3 and 4.

- (iii) No agreement was reached on the important question of the use of the poppy plant (poppy straw) as raw material for the extraction of opium alkaloids. Some members of the Advisory Committee were in favour of the total prohibition of the manufacture of opium alkaloids from the poppy plant, some others were opposed to this prohibition. The Committee decided not to insert any article in the draft convention and to leave the matter to be decided at its next session or by the conference itself.
- (iv) The Advisory Committee agreed in principle that raw and prepared opium seized in the illicit traffic should be destroyed, but decided to leave it to the conference to consider how this principle should be applied.
- (v) The Advisory Committee agreed that the parties to the convention should undertake not to import raw opium from any territory belonging to a non-party to the convention.

The representative of China suggested, moreover, that the convention should provide that opium coming from States non-parties to the convention should not be allowed to pass through the territory of parties to the convention. The Committee decided to ask the secretariat to study this question.

- (vi) The Committee agreed that under the convention an international control authority should be established to examine estimates, allocate production and export quotas, etc. The representative of France made reservations regarding this solution, pointing out that it would increase the already excessive number of international bodies dealing with narcotics questions and recommending that they should be reduced to a single body.
- (vii) There was a division of opinion in the Advisory Committee on the question concerning prepared opium and alternative articles

were inserted in the draft convention. This question will now no doubt be considered in the light of the decisions of the Governments of the United Kingdom, the Netherlands and France to prohibit opium smoking and abolish opium monopolies in their Far Eastern territories.

(viii) As regards international control, the draft prepared by the Advisory Committee requires to be completed by detailed provisions relating to the statistics to be supplied by the Parties to the convention and the international control to be exercised on the basis of such statistics.

2. Since the Advisory Committee drew up in 1939 the above-mentioned draft of principal articles which might be embodied in a convention for limiting and controlling the cultivation of the opium poppy and the production of raw opium and controlling other raw materials used in the manufacture of opium alkaloids, the whole problem has been seriously affected by the following developments:

As mentioned above, the Governments of the United Kingdom, the Netherlands and France decided to adopt a policy of complete prohibition of opium smoking in their territories in the Far East. The demand for opium coming from the monopolies in these territories will thus disappear. Should the policy of complete prohibition of opium smoking also be applied in the Portuguese Colony of Macao* and by the Government of Siam, about half of the total pre-war production of raw opium would become superfluous and would find no outlet in the licit market.

The demand for raw opium might also be materially reduced by the increase, during the war, in the extraction of morphine from poppy straw.

* After the drafting of the present memorandum the Portuguese Government transmitted to the Secretary-General an extract from the Legislative Act No. 908 of 31 December 1945 and the legislative decree No. 933 of 28 May 1946 concerning the abolition of the Opium Monopoly in Macao. These legislative texts are being submitted to the Commission in Document E/C.S.7/7.

The appearance and use of a synthetic substitute for morphine may further reduce the demand for raw opium.

It should be mentioned, on the other hand, that in his letter of 11 September 1946, transmitting the documents mentioned in paragraph 3 below, the Acting Secretary of State of the United States of America stated that "The American Embassy at Teheran has reported that the Prime Minister of Iran on 10 April 1946 issued instructions to the Governors of Provinces that the cultivation of opium poppy should cease as of this year, and that he further ordered the Ministers of Agriculture and Finance to draw up the necessary enforcement measures".

These developments will have to be taken into consideration by the Commission on Narcotic Drugs when preparing a new draft of a convention for limiting the production and use of raw opium.

3. A joint resolution adopted by the Seventy-Eighth Congress and approved by the President of the United States on 1 July 1944 (Public Law 400) requested the President "to approach the governments of all opium-producing countries throughout the world, urging upon them, in the interests of protecting American citizens and those of our Allies and of freeing the world of an age-old evil, that they take immediate steps to limit and control the growth of the opium poppy and the production of opium and its derivatives to the amount actually required for strictly medicinal and scientific purposes".

As mentioned in the introductory note to the present memorandum, the Government of the United States of America, in 1944, transmitted Notes to a number of countries with a view to expediting and promoting an international agreement to prohibit the cultivation of the opium poppy except for medical and scientific needs*.

* Notes were transmitted by the American diplomatic missions to governments of the principal opium producing countries with which the United States of America had friendly relations, viz, Afghanistan, United Kingdom for India and Burma, China, Iran, Mexico, Turkey, the Union of Soviet Socialist Republics and Yugoslavia. Replies have been received from all these Governments except Iran and Yugoslavia.

The above-mentioned joint resolution, together with the Notes exchanged with the Governments of Afghanistan, the United Kingdom, China, Mexico, Turkey and the Union of Soviet Socialist Republics, and other relevant documents, are being submitted to the Commission as a separate document.*

The Commission will no doubt desire to take these documents into consideration when examining the steps to be taken with a view to calling an international conference for limiting and controlling the cultivation of the opium poppy and the production of raw opium and controlling other raw materials used in the manufacture of opium alkaloids.

4. The Commission on Narcotic Drugs, in view of the urgency of the problem of limiting the production and use of raw opium to world medical and scientific needs, may desire to instruct the Secretariat to prepare a study on the problem and collect, for this purpose, such documentary material as may be required in order to enable the Commission to proceed with the preparatory work with a view to calling an international conference on limitation of raw materials used in the manufacture of narcotic drugs.

The Commission will also have to decide whether the Secretariat should include in this study the problem of the limitation of the production of coca leaves and thus resume the work of the Advisory Committee which was, for all practical purposes, interrupted in 1936.

* Document E/C.S.7/8.

ANNEX

DOCUMENTS OF THE LEAGUE OF NATIONS RELATING TO THE LIMITATION
OF THE PRODUCTION OF THE RAW MATERIALS USED FOR THE MANUFACTURE OF NARCOTICS

1. Replies from opium-producing countries to the questionnaire (document C.640.M.302.1933.XI.) sent to them under cover of letter No. C.L.234.1933.XI., of 19 December 1933:

O.C.1677..... Bulgaria, Greece, Hungary, India, Japan (for Korea),
U.S.S.R., Yugoslavia,

O.C.1677/addendum..... Yugoslavia (Part 2.)

" (a)..... India (cont'd).

" (b)..... China.

" (c)..... Japan.

2. Studies of various aspects of the problem, made in order to lay down the main principles of the future convention:

(Documents of the League of Nations, Series O.C./Confidential)

<u>No.</u>	<u>Subject</u>
16.....	Note by Mr. G. Bourgois on the limitation of the cultivation of the opium poppy.
18 (and annexes).....	Statistics on production, utilization, stocks and export of opium, from 1929 to 1937, and remarks made by several governments thereon.
20.....	Main aspects of the supervision of the cultivation of the opium poppy and the production of raw opium.
21.....	Analytical study of the data shown in document 18 and its annexes.
23.....	Study of the importance of the cultivation of the opium poppy to the population and economic life of the principal producing and exporting countries. Part 1: Bulgaria, Iran, Turkey, the U.S.S.R., Yugoslavia; Part 2: China, India, Japan, Korea, Yugoslavia (revised text).

<u>No.</u>	<u>Subject</u>
24.....	Opium monopolies in producing countries.
27 (and annexes).....	Principles on which a convention for the limitation of poppy cultivation and of the production of opium might be based.
28.....	Consistency and morphine content of raw opium.
32.....	Price of raw opium.
33.....	Study of the agreement between Turkey and Yugoslavia for the sale of opium.
35 (revised).....	Report of the Sub-Committee appointed to discuss Annexes I and II to document 27.
36.....	Dry poppy plant (poppy straw) and dry poppy capsules: utilization; legal situation under existing conventions and under the future convention.
39.....	Study of the poppy from the agricultural standpoint.
41.....	Draft report, to the Advisory Commission, of the Preparatory Committee for a conference to examine the possibility of limiting and controlling the cultivation of the opium poppy and the production of raw opium.
45.....	Regulating stocks: their object and working.
48.....	Allotments of raw opium on supplementary estimates under the quota system.
49.....	Method of allotment of exports to consuming countries under the quota system.
51.....	Regulation of prices of raw opium intended for export.
52.....	Memorandum concerning stocks.
54.....	Statement by Mr. S. Berkin (Turkey) on the regulation of prices of raw opium intended for export.

3. Observations by governments on the statement of the main principles which might serve as a basis of the future convention (document C.221.M.123.1938.XI.), sent to them under cover of letter No. C.L.192.1938.XI., of 12 October 1938:

O.C.1751..... Canada, Ireland.

" (a)..... Costa Rica, Egypt, Finland, Guatemala, Iraq, Monaco, Rumania, Sudan, Iceland.

" (b)..... Greece, Hungary, New Zealand, Sweden, and additional observations from Guatemala.

" (c)..... Australia, France, Latvia, Netherlands, Siam, Union of South Africa.

" (d)..... Bulgaria, Norway, Switzerland, Venezuela.

" (e) (and addendum): India.

" (f)..... Poland, United States of America.

" (g)..... Yugoslavia.

" (h)..... Turkey.

" (i)..... United Kingdom, Burma, Straits Settlements, Hong Kong, Sarawak, Aden, Ceylon, British North Borneo.

" (j)..... Argentina, Denmark, Uruguay.

4. Other documents:

C.175.M.175.1939.XI., of 12 June 1939:

Report of the Advisory Commission to the Council of the League of Nations concerning the preparatory work for a conference to consider the possibility of limiting and controlling the cultivation of the opium poppy and the production of raw opium and controlling other raw materials for the manufacture of opium alkaloids.

C.24.M.24.1944.XI.:

Pre-war production and distribution of Narcotic drugs and their raw materials.
