

Subcommittee D, of 15 members selected by the first general committee, to consider the suggestions of the Subcommittees A, B & C from the point of view of the consuming countries.

Subcommittee E, of 15 members selected by the second general committee, to examine suggestions for the control of the international traffic, especially in regard to export, import, transshipment etc.

Subcommittee F, of not more than 15 members, being medical, pharmaceutical or statistical experts, selected by the first general committee, to consider the reports made by the Health Committee etc., on the medical requirements of drugs.

LEAGUE OF NATIONS.

O.D.C./S.C.D./P.V.1.

SECOND OPIUM CONFERENCE.

Sub-Committee D.

First Meeting held at Geneva on Saturday, 29th November, 1924.

at 3.30 p.m.

M.F. VEVERKA (Czechoslovakia) in the Chair.

The following were present:

AUSTRALIA.	Mr. M.L. SHEPHERD.
BELGIUM.	M. FERNAND PELTZER.
BULGARIA.	M.D. MIKOFF.
CUBA.	Dr. A. AGUERO Y BETHANCOURT.
FINLAND.	M.U. TOIVOLA.
IRISH FREE STATE.	M. M. MACWHITE.
LUXEMBOURG.	M.C. VERMAIRE.
PORTUGAL.	M. RODRIGO RODRIGUEZ.
SIAM.	PRINCE DARAS.
CZECHOSLOVAKIA.	M.F. VEVERKA (Chairman).
URUGUAY.	M. ENRIQUE BUERO.
VENEZUELA.	Dr. F. DUARTE.

The CHAIRMAN invited suggestions as to procedure.

M. BUERO (Uruguay) proposed that the Committee should postpone its work until Sub-Committee A had decided its main lines of procedure. If the present Committee proceeded independently there would be a danger of its work being useless. The Committee should adjourn for two or three days and ask the Secretariat to submit to them the results of the work of the other Committees.

MR. SHEPHERD (Australia) thought the Committee should proceed independently with the examination of the questions of its terms of reference. It was for this purpose that the Committee had been appointed. They had to let the other Committees know what the consuming countries wanted, and what conditions they would like included in any agreement which might be reached.

M. AGUERO (Cuba) said there was a danger of the Committee having to do the same work twice over. They need not wait until the other Committees had reached definite decisions, but they must know the lines on which they were proceeding. It would also be advisable not to proceed until the question of competence, under discussion in the plenary Conference, had been settled.

M. RODRIGUEZ (Portugal) considered the Committee should investigate the questions referred to it from the point of view of consuming countries. Rapporteurs should be appointed to make a preliminary study of these questions and report to the Committee.

The CHAIRMAN proposed that the Committee should adjourn until the main question of competence under discussion in the Plenary Conference should be settled, and then eventually appoint rapporteurs to study all suggestions received from whatever source.

This proposal was accepted.

The Committee agreed to meet again at an early date.

The meeting closed at 6.p.m.

SOCIÉTÉ DES NATIONS.DEUXIÈME CONFÉRENCE DE L'OPIMUM . -SOUS-COMMISSION D.

Seconde séance tenue à Genève le jeudi 4 décembre 1954
à 15 h.30.

Président : M. VEVERKA (Tchécoslovaquie).

Présents :

M. M.L. SHEPHERD (Australie)
M. Fernand PELTZER (Belgique)
M. U. TOIVOLA (Finlande)
Mr. M. MCWHITE (Etat libre d'Irlande)
M. C. VERMAIRE (Luxembourg)
M. ROGRIGO RODRIGUEZ (Portugal)
M. T. L. HOONTRAKOOL (Siam)
M. F. VEVERKA (Tchécoslovaquie), Président
M. Enrique BUERO (Uruguay)
Dr. F. DUARTE (Vénézuéla).

M. SHEPHERD (Australie) invite la Commission à procéder à l'examen des mesures proposées par la Commission consultative.

La proposition est adoptée.

LE PRÉSIDENT propose la nomination de deux rapporteurs, dont l'un sera chargé d'étudier la question en tant qu'elle touche aux matières premières et l'autre en tant qu'elle touche aux stupéfiants fabriqués.

Un troisième rapporteur pourra être nommé ultérieurement si la nécessité s'en fait sentir. Il suggère la nomination de M.L. Shepherd (Australie) à titre de rapporteur pour les questions relatives aux stupéfiants fabriqués et celle de M. Buero (Uruguay) à titre de rapporteur pour les questions relatives aux matières premières.

La proposition est adoptée.

LE PRÉSIDENT ANNONCE qu'il doit partir très prochainement pour Rome et propose de nommer un vice-président.

M. BUERO (Uruguay) propose M. Peltzer (Belgique) pour remplir ces fonctions.

La proposition est adoptée.

M. BUERO (Uruguay) est d'avis que les délégués devraient déclarer nettement si oui ou non ils sont disposés à reconnaître en principe la stricte limitation des importations aux quantités requises pour les besoins médicaux et scientifiques.

M. TOIVOLA (Finlande) déclare que son gouvernement accepte le principe en question.

M. BUERO (Uruguay) accepte également le principe. Le Gouvernement qu'il représente a déjà adressé au Secrétariat des estimations de la quantité qui sera requise à cet effet l'année prochaine.

M. HOONTRAKOOL (Siam) accepte la proposition. Son Gouvernement a adressé au Secrétariat les chiffres relatifs à l'opium brut pour les deux dernières années.

M. RODRIGUEZ (Portugal) préconise la limitation des importations au strict minimum requis pour les besoins médicaux et scientifiques.

M. VERMAIRE (Luxembourg) accepte le principe de la

limitation. Il préférerait des statistiques annuelles aux estimations.

Tous les autres membres présents à la séance, M. DUARTE (Vénézuéla), M. VIVIERKA (Tchécoslovaquie) et M. SHEPHERD (Australie) sont également du même avis.

M. BUERO (Uruguay) signale que s'il est fourni des estimations, on envisage que le Conseil central devra être en mesure de pouvoir refuser ou limiter les importations dans un pays quelconque, si elles dépassent les estimations fournies.

Les membres de la sous-Commission acceptent l'article 1.

M. BUERO (Uruguay) pense que l'article 2 n'est pas assez souple. A son avis, un chiffre qui couvrirait les importations de plusieurs années donnerait plus d'élasticité, et protégerait les pays importateurs contre toute manipulation de prix. L'article doit être lu à la lumière de l'annexe II, paragraphe 6 du rapport.

Sur la proposition de M. SHEPHERD (Australie) la Sous-Commission décide d'inclure dans son rapport une observation portant que les pays consommateurs acceptent l'article 2 tel qu'il ressort à la lumière de l'annexe II, paragraphe 6, du rapport de la Commission consultative.

M. RODRIGUEZ (Portugal) signale que l'annexe II, paragraphe 6, ne contient aucune disposition relative aux épidémies. Le rapporteur devra prendre note de ce fait lorsqu'il examinera la question.

M. BUERO (Uruguay) pense qu'il conviendrait de mentionner dans le rapport la question pratique des prix, etc....

La Commission accepte cette proposition.

L'article 2 est accepté en principe.

M. TOIVOLA (Finlande) pense que le Bureau central devrait comprendre un nombre égal de représentants des pays consommateurs et de représentants des pays de production.

La Commission adopte cette proposition en principe.

La séance est levée à 18 h.45.

S O C I E T E des N A T I O N S

SECONDE CONFERENCE DE L'OPIMUM

SOUS-COMMISSION D.

Procès-verbal provisoire de la troisième séance, tenue à
Genève, le 6 décembre à 15 heures 30.

PRESIDENT: M. PELTZER (Vice-Président).

Présents:

AUSTRALIE	Mr. M.L. SHEPHERD
BELGIQUE	M. FERNAND PELTZER (Président)
FINLANDE	M. U. TOIVOLA
ETAT LIBRE D'IRLANDE	M.M. MACWHITE
LUXEMBOURG	M.C. VERHAERE
PORTUGAL	M. RODRIGO RODRIGUEZ
SIAM	M. T.L. HOONTRAKOOL
TCHECOSLOVAQUIE	M. REISSER
URUGUAY	M. ENRIQUE BUERO
VENEZUELA	Dr F. DUARTE.

M. BUERO (Uruguay) propose qu'étant donné l'élection de M. Peltzer à la vice-présidence, M. de Myttaere, Conseiller technique de la Délégation belge, expose le point de vue belge en sa qualité de délégué suppléant à la Commission.

Cette proposition est adoptée.

M. de MYTTAERE prend place à la table de la Commission.

LE PRESIDENT fait observer qu'au cours d'une réunion des présidents des Sous-Commissions, la proposition avait été émise de tenir une séance mixte des Sous-Commissions A et D. Il estime qu'il serait préférable de tenir cette séance dans quelques jours seulement, lorsque les propositions qui devront faire l'objet d'un examen commun seront plus nombreuses.

La Commission se rallie à ce point de vue.

LE PRESIDENT fait en outre observer que le Président de la Conférence a recommandé aux Sous-Commissions d'achever leurs travaux, autant que possible, vers la fin de la semaine prochaine.

Lecture est donnée d'un rapport rédigé par M. Shepherd (Australie).

M. SHEPHERD (Australie) propose, au sujet de l'article 20 (a) des propositions américaines et de l'article 4 (b) du rapport de la Commission consultative, de stipuler que les statistiques seront envoyées chaque trimestre; s'il n'en était pas ainsi, le Comité central ne serait pas en mesure de savoir si un pays quelconque a dépassé la limite fixée pour ses besoins.

M. BUERO (Uruguay) dit que la Sous-Commission A a accepté le principe des statistiques annuelles. Il pense qu'il serait préférable que la Commission adoptât la même période. Le Comité central pourrait, dans ses travaux, se servir aussi bien de statistiques annuelles que de statistiques trimestrielles.

M. SHEPHERD (Australie) déclare que l'article vise les importations, les stocks et la fabrication.

La Commission décide de recommander à la Conférence d'inviter les Etats à fournir des statistiques annuelles relatives à l'importation, aux stocks et à la fabrication.

M. SHEPHERD (Australie) signale qu'aux termes des propositions américaines, des indications devraient être fournies au sujet de l'origine et du lieu de destination; il demande s'il sera possible de fournir ces indications.

Le Commission prend une décision affirmative.

Après discussion, le Commission décide d'adopter le rapport de la Commission consultative comme base de discussion et d'examiner toutes les questions et toutes les propositions qui pourraient se présenter au fur et à mesure de l'examen du rapport.

En ce qui concerne la phrase "stocks se trouvent en la possession des marchands de gros", la Commission décide que les statistiques relatives aux stocks pourront être fournies annuellement.

ARTICLE 20 (d) 2 DES PROPOSITIONS AMERICAINES.

On fait observer que cette question ne concerne que les pays producteurs.

M. BUERO (Uruguay) estime qu'étant donné que la Commission représente des pays consommateurs, elle a un

certain intérêt à faire insérer ce paragraphe dans la Convention. Il en est de même en ce qui concerne le paragraphe 3.

M. SHEPHERD (Australie) estime que le dernier paragraphe de l'article 4 n'intéresse pas les pays consommateurs. Il sera naturellement nécessaire de modifier le texte, en raison des décisions déjà adoptées.

La Commission se rallie à ce point de vue.

M. RODRIGUEZ (Portugal) désire voir figurer au procès-verbal que son Gouvernement n'est pas disposé à accepter le contrôle du Comité central, suggéré dans le dernier paragraphe de l'article 4 des propositions de la Commission consultative.

Quant au projet américain, il n'est pas nécessaire, à son avis, que le Comité signale à un pays donné que ses importations ont atteint le chiffre des prévisions soumises par le dit pays. Un tel acte équivaldrait à une sorte de blâme adressé au pays intéressé.

M. TOIVOLA (Finlande) rappelle qu'aux termes de l'article 13 du Pacte, les Etats signataires ont accepté un certain degré de contrôle de la part des autres Etats signataires; une telle obligation est d'ailleurs imposée par tous les accords internationaux. On devrait, pense-t-il, donner au Comité le droit de procéder à des enquêtes et de présenter un rapport. L'opinion publique apporterait les tempéraments nécessaires.

M. FERREIRA (Portugal) ne croit pas que ces cas soient identiques. Ses instructions ne lui permettent pas d'accepter le contrôle en question.

M. BUERO (Uruguay) accepte le plan américain sous sa forme actuelle. Il ne croit pas qu'il y ait atteinte à la souveraineté d'un Etat quelconque, car les obligations en question seraient librement assumées.

M. RODRIGUEZ (Portugal) pense que la simple publication des statistiques par le Comité central, sans commentaires, serait tout à fait suffisante.

M. MACWHITE (Etat libre d'Irlande) fait remarquer que les signataires de l'article 10 du Pacte ont accepté un certain degré de contrôle. Jusqu'ici le Portugal n'a formulé aucune réserve au sujet de cet article.

M. SHEPHERD (Australie) pense qu'en signalant à un pays donné que le chiffre de ses importations est élevé, on lui donnerait ainsi l'occasion d'en fournir la raison.

M. TOIVOLA (Finlande) propose de modifier le texte de l'article, de manière à prévoir la publication de statistiques "classées de façon que chaque pays puisse constater dans quelle mesure le chiffre de ses importations se rapproche du chiffre des évaluations soumises par lui".

M. RODRIGUEZ (Portugal) persiste à croire qu'une publication de ce genre impliquerait une sorte de blâme à l'adresse du pays intéressé. Il fait ses réserves sur ce point, tout en acceptant la proposition.

M. BUERO (Uruguay) fait remarquer que, pour se conformer à l'attitude qu'il prend maintenant, le Portugal devrait refuser de consentir à l'établissement d'un

Comité central. Il ne peut, pour sa part, se résoudre à accepter la proposition de M. Toivola. Il préférerait voir adopter l'une des rédactions actuelles, note étant dûment prise des réserves de la délégation portugaise; sinon le Comité serait sans utilité.

Il est convenu d'ajourner l'examen de la question jusqu'à ce que l'article 5 ait été examiné.

M. TOIVOLA (Finlande) pense que les pouvoirs conférés au Comité central par l'article 5 sont un peu trop étendus. Le Comité devrait avoir le droit d'ouvrir une enquête, mais non celui de fixer les quantités dans les cas où un pays a fourni des statistiques. Il accepte l'article pour les cas où un pays n'a pas fourni les dites statistiques.

M. RODRIGUEZ (Portugal) demande au Président de lui permettre de donner lecture d'un exposé sur la constitution et les pouvoirs du Comité central.

Il est convenu que ledit exposé sera communiqué aux membres de la Commission.

La séance est levée à 19 heures.-

SOCIÉTÉ DES NATIONS.

Deuxième Conférence de l'Opium.

SOUS-COMMISSION D.

4^{ème} séance, tenue à Genève le lundi 8 décembre 1924 à

15 heures 30.

Président : M. PELTZER (Belgique).

Présents : MM. M. L. Shepherd Australie
 Fernand Peltzer Belgique
 U. Toivola Finlande
 M. MacWhite Etats Libre d'Irlande
 Rodrigo Rodriguez Portugal
 T. L. Heontrakool Siam
 J. Reisser Tchecoslovaquie
 Enrique Buero Uruguay
 Dr. F. Duarte Venezuela.

Sur la proposition de M. SHEPHERD (Australie) la Commission décide d'ajourner à mardi l'examen de la déclaration (O.D.C./S.C.D.3) du Délégué portugais.

La Commission passe à l'examen de l'article 5 de la proposition de la Commission consultative et du dernier paragraphe de l'article 20 du projet américain.

La Commission décide d'adopter en principe ce paragraphe, qui s'appliquerait dans les cas où un pays n'aurait pas fourni de chiffres.

M. BUERO (Uruguay) estime que, dans les cas où des Puissances ont produit un relevé, ce paragraphe repose sur une base erronée, et pourrait faire supposer que les Puissances sont de mauvaise foi. Dans ces circonstances, il ne peut admettre que le Comité central soit chargé de fixer les chiffres ou, ce qui en découlerait

logiquement, que d'autres pays s'engagent à ne fournir aucune quantité supérieure à la quantité fixée.

M. TOIVOLA (Finlande) estime qu'il y aurait lieu d'accorder à la Commission le droit de procéder à des enquêtes, comme dans les cas prévus dans la partie XIII du Traité de Versailles.

M. BUERO (Uruguay) propose de supprimer les mots: "et qui pourrait facilement être utilisé en partie en vue d'un trafic illicite".

LE PRESIDENT propose d'ajouter à la formule: "Le Comité fixera" les mots "après enquête et après la publication des résultats de cette enquête".

M. RODRIGUEZ (Portugal) ne saurait admettre qu'un pays quelconque indique des quantités supérieures à ses besoins, ou qu'il refuse entièrement de fournir des chiffres.

La Commission adopte l'article en principe, après avoir pris note des observations du délégué portugais.

M. BUERO (Uruguay)	: soulèvent des objections au
M. TOIVOLA (Finlande)	: sujet de l'article VI des
et M. le Dr. DUARTE (Venezuela)	: propositions de la Commission consultative qui, à leur avis, accorde aux pays producteurs certains avantages sur les pays consommateurs.

Etant donné qu'il existe certains doute au sujet du sens exact de l'article, la Commission invite M. Shepherd à consulter Sir Malcolm Delevingne à ce sujet.

La Commission passe à l'examen de l'article 7 du paragraphe XIII.

M. BUERO (Uruguay) propose à la Commission de prendre les mesures nécessaires afin que les dispositions de l'article en question soient appliquées aux Etats signataires aussi bien qu'aux Etats non signataires.

M. SHEPHERD (Australie) propose au Comité de déclarer qu'il considère cet article comme une clause essentielle de l'Accord. Il recommande d'ajouter la dernière phrase du texte américain:

" Le Comité central communiquera périodiquement à toutes les parties à la présente Convention le chiffre fixé pour chaque zone géographique et indiquera la situation en ce qui concerne les exportations et les réexportations à destination de ladite zone."

Cette proposition est adoptée.

A l'égard des propositions autrichienne, australienne et cubaine, M. SHEPHERD (Australie) propose au Comité d'examiner le texte australien:

" Au sujet du document C. 172 M. 47 (26 mars) de la deuxième Conférence de l'Opium, le Gouvernement du Commonwealth d'Australie approuve la proposition tendant à ce que, pour protéger les pays qui entreprennent de réduire leur production, il soit interdit aux pays qui ne produisent pas d'opium actuellement, de cultiver le pavot à opium et les feuilles de coca. "

Il demande si d'autres pays adopteront également cette proposition.

M. BUERO (Uruguay) rappelle que, dans son pays, on ne cultive ni le pavot à opium, ni les feuilles de coca, mais que la proposition australienne suggère l'établissement d'un monopole.

Dans ce cas, les pays qui créeront un monopole devraient s'engager à diminuer leur production.

M. RODRIGUEZ (Portugal) fait remarquer que ces dispositions empêcheraient les pays de cultiver sur leur territoire des quantités dépassant le chiffre fixé à ces pays par le Comité central ou résultant de ses évaluations. Il estime qu'un pays ne peut que difficilement renoncer dès maintenant au droit de cultiver le pavot à opium ultérieurement, c'est à dire, le jour où il le jugerait désirable. Le délégué tchécoslovaque déclare qu'il partage ce point de vue.

LE PRESIDENT fait observer que toute convention qui pourra être conclue n'aura pas nécessairement un caractère permanent et que cette clause pourra être modifiée lorsqu'on aura constaté que son application pratique n'a pas donné de résultat satisfaisant.

La Commission adopte en principe la proposition australienne, sous réserve de l'insertion de la clause par laquelle les pays s'engagent à diminuer leur production actuelle et sous réserve également, du consentement des autres pays non producteurs qui ne sont pas représentés au sein de la Commission.

La séance est levée à 17 h. 50.

SOCIÉTÉ DES NATIONS.

C.D.C./S.C.D./P.V.5.

SECONDE CONFÉRENCE DE L'OPIUM

Sous-Commission D.

Cinquième Séance

tenue à Genève, le mercredi 10 décembre 1924 à 15h. 30

Président M. FELTZER (Belgique)

Présents:

Mr. Shepherd	(Australie)
M. de Myttenmaere	(Belgique)
M. Toivola	(Finlande)
M. Barany	(Hongrie)
Mr. M. Mac-White	(Etat Libre d'Irlande)
M. C. Vermaire	(Luxembourg)
M. Rodrigo Rodrigues	(Portugal)
M. T.L. Hoontrakool	(Siam)
M. J. Reisser	(Tchécoslovaquie)
M. Enrique Buero	(Uruguay)
Dr. Duarte	(Vénézuela)

M. ZAHLE (Président de la Conférence) fait une déclaration au sujet d'une proposition tendant à suspendre les travaux pendant deux ou trois semaines à l'occasion de Noël. Après avoir énuméré certaines ^{des} difficultés qu'entraînerait, à son avis, cet ajournement, il informe les membres que la Présidence ne présentera pas de proposition.

La Sous-Commission prend acte de cette déclaration.

Sir MALCOLM DELEIVINGNE (Empire-Britannique) assiste à la réunion de la Sous-Commission pour expliquer l'objet de l'article 6 des propositions de la Commission Consultative. Cet article a été inséré en prévision des cas où une petite Puissance se trouverait placée dans une situation embarrassante vis-à-vis d'une grande Puissance, par suite de ses obligations, aux termes de la Convention.

En réponse à une question de M. TOIVOLA (Finlande), Sir

Malcolm DELEVINGNE déclare que ce paragraphe ne vise pas uniquement ce cas particulier et s'applique également à la situation d'une grande Puissance vis-à-vis d'une autre grande Puissance. La Conférence mentionnée ne se réunirait pas pour modifier les décisions du Comité central, mais pour décider les mesures qu'il y aurait lieu de prendre.

M. TOIVOLA (Finlande) signale que l'article contient la phrase " en vue d'examiner si cette limitation peut être mise en vigueur " et estime que cet article devrait être rédigé différemment.

Sir MALCOLM DELEVINGNE (Grande-Bretagne) déclare que le chiffre resterait le même. Il s'agirait uniquement de décider s'il y a lieu de l'appliquer. L'orateur estime qu'il ne sera pas possible de saisir le Conseil de la Société des Nations d'une telle question. Il se peut que l'article soit repoussé en raison de l'attitude d'autres Sous-Commissions.

Sir Malcolm Delevingne se retire.

M. BUERO (Uruguay) ne peut imaginer qu'un pays puisse en considérer un autre comme seul responsable des décisions du Comité Central. Il propose que l'article soit abandonné.

M. SHEPHERD (Australie) estime qu'une clause de cette nature est nécessaire pour la protection des petits pays.

Sur la proposition de M. Shepherd, les membres conviennent que la Sous-Commission pourra examiner l'article ultérieurement au cours d'une séance mixte avec la Sous-Commission B.

La Sous-Commission procède à l'examen de la déclaration du Délégué portugais (O.D.C./S.C.D.3.)

M. RODRIGUES (Portugal) déclare qu'il ne soumet pas de proposition mais qu'il expose les raisons qui l'ont conduit à adopter un point de vue particulier au cours de la troisième réunion de la Sous-Commission.

M. SHEPHERD (Australie) déclare qu'il n'est pas du ressort de la Sous-Commission de déterminer les attributions du Comité Central.

M. RODRIGUES (Portugal) remarque que la Sous-Commission a déjà présenté des suggestions au sujet de sa composition et de son règlement intérieur.

M. TOIVOLA (Finlande) propose de soumettre le memorandum au Comité Central, étant donné que la Commission ne dispose pas du temps nécessaire.

M. SHEPHERD (Australie) estime qu'il serait nécessaire d'insérer une disposition donnant au Comité une autorisation générale. Il y aurait lieu d'accorder au Comité le droit de veiller à l'exécution de toutes les dispositions de la Convention. Il approuve quelques-unes des propositions portugaises. Le Comité central devrait avoir le droit de faire un choix entre ces propositions.

Après une nouvelle discussion, la Sous-Commission adopte la résolution suivante:

"La Sous-Commission D a pris connaissance d'un memorandum rédigé par la Délégation portugaise et relatif à la composition et à la compétence du Comité central permanent d'experts. La Sous-Commission, sans formuler d'avis sur les conclusions de cette note, signale cette dernière à l'attention de la Conférence, en la priant de bien vouloir la soumettre éventuellement au Comité susmentionné, dans le cas où celui-ci serait constitué".

Cette résolution est adoptée.

RAPPORT DE LA SOUS-COMMISSION F. (O.D.C./S.O.F./5(1)):

M. de HYTENMAERE (Belgique) fait observer que certains pays n'ont pas fourni de statistiques relatives à la codéine. Le chiffre de 450 milligrammes constitue une moyenne qui peut s'appliquer à tous les Etats dans lesquels l'organisation des services médicaux est développée; ce chiffre devrait être considéré comme un maximum. Il ne constitue cependant pas un maximum pour un pays quelconque, mais il a été adopté pour déterminer le chiffre de la production.

M. SHEPHERD (Australie) présente la proposition suivante:

"La Sous-Commission a examiné le rapport de la Sous-Commission F. et ne soulève aucune objection contre son adoption, étant donné que les intérêts des pays consommateurs sont pleinement protégés, chaque pays pouvant fixer lui-même ses propres besoins".

Cette proposition est adoptée.

La Sous-Commission invite M. Shepherd à présenter son rapport le vendredi 12 décembre.

La séance est levée à 18 heures.

SOCIETE DES NATIONS.

O.D.C./S.C.D./P.V.6.

SECONDE CONFERENCE DE L'OPIMUM.

SOUS-COMMISSION D.

PROCES-VERBAL PROVISOIRE DE LA SIXIELE
SEANCE TENUE A GENEVE LE LUNDI 15 DECEMBRE 1924
à 10 heures 30.

Président: M. PELTZER (Belgique)

Présents: MM. M.L. SHEPHERD (Australie)
de MITTENMAERE (Belgique)
Mac WHITE (Etat-Libre d'Irlande)
U. TOIVOLA (Finlande)
Rodrigo RODRIGUES (Portugal)
T.L. HOONTROKOOL (Siam)
J. ROISSER (Tchécoslovaquie)
Enrique BUERO (Uruguay)
Dr. DUARTE (Vénézuéla).

La Commission procède à l'examen du rapport préparé par M. Shepherd (Australie).

Article 1.- Sur la proposition du Président, la Commission convient de substituer le mot "dispositions" au mot "conditions" à la 5ème ligne de cet article.

M. SHEPHERD (Australie) propose l'insertion du texte suivant:

" Il était entendu que les pays de consommation étaient prêts à fournir les renseignements détaillés sous la forme dont pourraient convenir les pays producteurs".

Ce texte est adopté.

La Commission décide de supprimer les mots "commissions principales" à la fin de l'article, les commission en question ayant été supprimées.

L'article 1 est alors adopté.

L'article 2 est adopté sans discussion.

Article 3.- La Commission décide de substituer le mot "membres" au mot "personnel" à la 3ème ligne.

M. RODRIGUES (Portugal) estime que la Commission n'a pas pris de décision au sujet des dispositions détaillées mentionnées dans la dernière phrase. Il est décidé de supprimer cette phrase.

L'article 3 est alors adopté.

Article 4.- Etant donné la décision prise par la Sous-Commission B, la Commission décide d'insérer dans le premier paragraphe de l'article 4, une disposition prévoyant que les statistiques annuelles, dont il est fait mention, devront être fournies dans un délai de 6 mois.

L'article 4 est adopté.

Article 5.- Le mot "indiquer" est substitué au mot "fixer" dans le passage de l'article 5 qui a trait aux propositions américaines

Article 6.- Sur la proposition de M. Rodrigues (Portugal) la deuxième phrase de l'article 6, rédigée à nouveau, prend la forme suivante :

" Cette clause donne lieu à de graves objections de la part de plusieurs Délégués; en l'absence d'une interprétation claire, Sir Malcolm Delevingne est invité à assister à une séance ultérieure de la Sous-Commission et à expliquer les raisons qui motivent l'insertion de la clause en question".

Au lieu de " et son application à des cas particuliers", la fin de l'article, modifié, devient: "et déterminer les cas spéciaux dans lesquels il sera applicable".

Article 13.- M. RODRIGUES (Portugal) propose de substituer une autre expression à "zone géographique", cette dernière expression n'impliquant pas l'existence d'un Gouvernement.

Après discussion, la Commission décide de substituer l'expression " chaque pays ou territoire".

Propositions des Délégations australienne, autrichienne et cubaine.-

M. SHEPHERD (Australie) propose d'ajouter, au début de l'article , la phrase suivante:

" Les pays de consommation ayant généralement exprimé le désir de limiter strictement la production à leurs besoins effectifs, les trois propositions ont été discutées d'une façon plus étroitement parallèle, mais comme la proposition australienne était plus précise...."

La Commission accepte cette proposition.

Le paragraphe I, relatif aux conditions proposées, est rédigé à nouveau sous la forme suivante:

" Les pays producteurs s'engagent, pour leur part, à réduire leur production".

Représentants au Comité de Coordination.

Le PRESIDENT annonce que la Commission est invitée à désigner deux Membres qui se joindront à lui pour représenter la Sous-Commission D au Comité de Coordination.

La Commission décide de confier ces fonctions à M. Shepherd (Australie) et à M. Buero (Uruguay), rapporteurs de la Commission.

La séance est levée à 17 heures 30.

LEAGUE OF NATIONS.

O. D. C./S.C.D./ 1.

SECOND OPIUM CONFERENCE.

PLAN OF WORK FOR SUB-COMMITTEE "D" PREPARED BY MR. SHEPHERD,
DELEGATE OF AUSTRALIA.

1.

Article 4 (Section b) Article 20D of American proposals.

The question raised in this Article of the period for which statistics shall be supplied requires determination.

In a discussion of this matter in Committee "B" it was clearly demonstrated that the producing countries, with the exception of India, were only able to supply statistics yearly- three months after the close of the year.

Is it necessary for the consuming countries to supply quarterly statistics of their imports in view of this fact, or should they be limited to yearly statistics as in the case of producing countries?

It will be noted that the Norwegian Government definitely states its inability to submit quarterly statistics, as they consider it quite unnecessary. Special attention is invited to the Norwegian Memorandum on this point.

It must be noted also that the Austrian memorandum also deals with this question and considers that the estimated requirements should be drawn up with due regard to the statistics of the requirements of the various countries over a period of several years.

2.

Article 4. With regard to the provision in the Article for an undertaking to be furnished by each Government not to export further consignments during the same year unless revised estimates had been furnished, this is a matter on which it would be advisable to have the opinion of the consuming countries present.

3.

Article 5. Empowers the Central Board under certain circumstances to fix the amounts of the reasonable requirements of a country and raises the question as to whether the consuming countries are prepared to accept this limitation.

The American draft differs slightly from the Advisory Committee's recommendations by providing that the Board shall do so "upon investigation undertaken on its own motion or on complaint of any of the Contracting Parties".

The other point raised in this Article relates to producing countries.

4.

Article 13. The American proposal differs only by the addition of these words:-

"The Central Board shall communicate periodically to all the Parties to this Convention the amount fixed in respect of each geographical area and the situation as regards the exports and re-exports thereto".

The question, therefore, for decision is whether this proposal could be accepted.

SUB-COMMITTEE "D"

The AUSTRIAN, AUSTRALIAN and CUBAN proposals are aimed at the same objective, that is the Limitation of the Production, to actual medical and scientific requirements.

The AUSTRALIAN proposal provides for the prohibition of the growth of the raw materials in all countries which do not at present produce poppy or coca leaf.

AUSTRIA, however, does not agree to this proposition as, in their view, such restriction would confer an unfair advantage on certain producing countries which would thus obtain a monopoly, while the industry of other countries would be injured. Each country should be left to determine its own requirements in its own territory.

Both these questions raise an important matter for non producing countries and it would be advisable to get the views of the delegates on this point.

The further proposals by the Norwegian Government do not seem to come within the scope of this Sub-Committee. One relates to the deletion of the last sentence in Article 10, and the other part relates to the inclusion of Ecgonine.

The remaining part of the Austrian proposal relates also to the definition of the substances falling under the Convention - this hardly comes within the scope of this Sub-Committee.

LEAGUE OF NATIONS

SECOND OPIUM CONFERENCE

Note on the position of the Government of India with regard to the definite limitation of the production of Opium.

The Government of India exercises complete control over raw opium in India from its production up to the time it reaches the hands of the actual consumer, on the one hand, or is exported from the country on the other. The Government is prepared to reduce the amount of opium produced for export in accordance with the wishes of the importing countries, and is in a position to secure that no opium shall leave India illicitly, and that no opium shall be exported licitly, except under the definite certificate of a responsible Government which desires to import it. It is understood that the position as regards the exports of India is perfectly clear, and known to all the members of the Conference. If any further information is desired I shall be glad to supply it. As regards the limitation

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of the production of opium in India for internal use to the quantities required solely for medical and scientific purposes, the position has already been explained many times. As all the delegates are aware, I have no instructions from my Government regarding this specific point at present. The Government of India were under the impression that this point would not be discussed. I am, however, aware of the views which the Government of India have up to now held on this subject. Basing themselves on the decision of the Royal Commission of 1893, they have steadfastly refused to accept any such limitation, because they are convinced that it is administratively impossible; that it is not in the best interests of the peoples committed to their charge; and because it is, in fact, unnecessary. Regulation of consumption in India is probably closer than in any other country, even than in European countries. The annual consumption figures per head of the population supply the only exact measures of the use, and possible abuse, of narcotics in any country, provided that adequate measures are taken against contraband trade. In British India proper there is no contraband trade. The average annual consumption per head of the population is, and has for many years been, comparable with, and in several cases lower than, the corresponding figures for European and other countries where no drug problem is understood to exist. This fact, in itself, demonstrates with absolute certainty that the system adopted by the Government of India is sound, both in its method and in its execution.

I consider that this reply covers the reference made, but it will of course be understood that, should occasion arise, I am prepared to explain and develop the arguments on this subject.

LEAGUE OF NATIONS

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LEAGUE OF NATIONS

SECOND OPIUM CONFERENCE.

Sub-Committee D.

Note by the Portuguese Delegation concerning
the composition and powers of the Central
Board.

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I was glad to note that the proposals of the Advisory Committee and the U.S. Delegation, and proposals from other quarters as well, which may serve as a basis for the work of this Conference, included the ideal of a Central Board of Experts, an idea which I myself advocated at the First Conference.

I think that the creation of a technical board is the positive basis upon which we may effectively build up national and international measures to protect society against an evil which is spreading and growing in intensity every day to a most alarming extent.

This terrible problem first aroused the feelings of philanthropists and humanitarians, and in our conferences it has often been stated that the question was in reality mainly a humanitarian one.

I do not entirely agree with that point of view. I readily acknowledge, indeed, that humanitarian sentiments gave the first impulse to this campaign, but if we persist in regarding the problem solely from a humanitarian point of view, we may never discover the remedy that we seek.

If, without disdaining the powerful aid afforded by humanitarian feeling, we base our action on science, which learns from experience and observation, we shall accomplish more useful and practical work.

The abuse of certain drugs such as opium and its alkaloids, coca and its alkaloids, canabis indica, etc., is regarded as a moral degradation. There is not the slightest doubt that any vice which undermines the physical constitution must by that very fact affect the basis of human morality. But that would not be a sufficient reason to induce States to take international steps to combat a vice. A united effort should only be made if there is a danger to the entire community. If public health is not threatened, the problem loses much of its importance.

If the danger of the spread and the evil example of the vice were non-existent, the ruin of a few individuals would certainly not lead to a great movement of public opinion. It is therefore the endemo-epidemic aspect of an evil which in the first instance must determine international effort, and that is the light in which the present Conference should view the serious problem of narcotics.

In looking at the question from this point of view, I think that any useful action must be based on exact and detailed knowledge - on the lines of what is done by the health services in the case of endemo-epidemic infections - of all the circumstances which are favourable to the appearance of the evil and to its development.

In considering the question of narcotics, I think it is an established fact that the evil arising therefrom alarms us because of its extent and the strength of the hold it has obtained. Every day the vice claims new victims of every nationality in spite of all that has been done up to the present to prevent its extension, and its baneful influence is intensified as it spreads up from naturally less resistant communities to communities which, by reason of their culture, should offer greater resistance to its incursions. The

methods used to spread the evil are daily being improved; the swallowing and smoking of the drugs are giving place to the direct employment of the active principles they contain. The drugs are now being administered by injection.

There is no doubt then that the danger arising from the use of narcotics is a public health question, and it must consequently be attacked from this standpoint. Any other action would merely retard the application of those prudent measures of defence which, sooner or later, individual countries or all countries will be forced to adopt for their own safety. While, therefore, we should not disdain the assistance which humanitarian sentiment may afford, we must determine to look at the problem, which we are attempting to solve, in its true aspect: the scientific aspect. For the moment has come when we must pass from sentimental considerations and to the stage of scientific research.

What has been done up to the present is very human. All suffering evokes sympathy, but sympathy alone does not provide the necessary remedy. When confronted with these symptoms we must act as we should in any other case of poisoning. The diseases appearing in a living organism give the necessary warning to those who are acquainted with it, and who fear the evil, to go and seek a specialist who will combat and eradicate the malady by applying suitable measures. It is natural that the action of sympathy should precede that of the intellect, but in the end it must give way to the latter; otherwise the evil may be aggravated and be attended with still more pernicious results.

It has been said that this vice is increasing to an alarming extent. I have special reasons to believe that this statement is correct, for my attention was directed to the question a long time ago. But what definite evidence do we possess? Have we any precise data on the subject?

Take, for instance, the regions in which plants containing dangerous poisons are cultivated. Has the area under cultivation been increased?

Where are the plants transformed and prepared? In what chemical form are they employed? What are the effects of each particular substance according to its application and the race which employs it?

What is the channel and what are the present means by which contagion spreads among the various social classes, and what may be the relationship between the evil of narcotics and other social evils, such as prostitution, warfaru, etc?

And are there other considerations of an economic nature in addition to health factors, to which we should give our attention?

What, for instance, is the extent of, and what are the reciprocal relations between the legitimate and illegitimate trade in these drugs? What are the channels usually employed by the legitimate trade? What procedure is followed in order to circumvent control? How much scattered information there exists on this important subject of science, all carefully collected yet lacking, as a whole, the value of properly co-ordinated knowledge! But it is such knowledge that we must first of all obtain before we can decide upon measures of practical utility; otherwise any work done will be of very little effect.

I may be told that this is a familiar question; that it is merely necessary to collect the various scattered elements. I do not agree. To collect, check and systematise, and then rapidly prepare a statement comprehensible to the juridical mind of these Assemblies is not enough. We must assist in solving certain problems inextricably bound up with the defensive measures we are to adopt. There are some points

in the drug question which have not by any means been finally elucidated. For example, is there not still disagreement as to the effects of opium and coca, these drugs being considered harmful to a greater or lesser degree according to the manner in which they are absorbed? Some say that the use of ingested opium is not harmful, or at any rate less harmful than smoked opium. Has science reached a stage at which it can settle this and other points? There is certainly no lack of figures concerning drugs, but what faith can we place in them? They are produced and contested by each of us, according to his requirements.

This uncertainty is not merely unfavourable to the aim we have in view; it is positively harmful. If we lack the basis for taking effective measures in the interests of health, how can we have faith in the efficacy of the measures adopted? This lack of confidence tends to vitiate measures which might in some cases be useful. The conclusion to be drawn from these remarks is the following:-

We need an official and technical organisation, side by side with the Advisory Committee. This body will in no way prove a hindrance to the measures which we may here and now adopt as necessary. On the contrary, it will be able to perfect them in the future. Such a body would alone be able to supply and collect the necessary statistical and other data, since it alone would possess the knowledge required to estimate their value.

But it is not enough to approve the idea of a technical and official organisation. Its composition must be set out in detail and its programme of work must at least be outlined, somewhat after the manner of the United States' proposals.

In order that such an organisation may be equal to the task that we think ought to be assigned to it, it should, in our opinion, be subdivided into two groups:

The first group composed of experts on health questions:

The second group composed of economic and legal experts.

The Permanent Health Committee of the League of Nations might, by its nature, perform the health work of this Committee, either by elaborating schemes of its own, or by entering into communication and cooperation with the Health Services of the different countries, and by establishing regular liaison with such institutions as the Academies of Medicine, the Rockefeller Institute, etc.

I think that the second group might be composed of persons very carefully chosen from the members of the legal and economic committees of the League of Nations.

The programme of work for the first group of this Committee should comprise:

(a) The organisation and keeping up to date of the map showing the production of dangerous drugs.

(b) The organisation of the map showing the number of victims of each drug, with mention of the form in which the drug was taken and the extent of its diffusion.

(c) The definition of the harmful effect of each drug upon human health,

d) the study of the possible connection between endemic toxæmia arising from the use of drugs, and other social phenomena (contagion).

e) scientific measures for combating the evil.

The particular work of the second group should be

a) the preparation and keeping up to date of a map showing the production and consumption of drugs,

b) the preparation of a map showing the routes followed by the trade and a map showing the areas of production,

c) the collection of information concerning illicit traffic (smuggling, etc),

d) the preparation of legislative measures.

The results of the work of this Commission or Committee should be collected in a periodical bulletin, which would be sent to countries taking part in this Conference.

From the information in this publication, which would be official, the different countries could extract the necessary material for enacting laws with a view to safeguarding public health, and the same information would also assist in examining questions for discussion at international meetings like this, or at more limited meetings affecting only a group of countries.

It must be understood that the work of the Committee would be carried out in such way that its activities would never amount to anything in the nature of international control or supervision.

The co-ordination of effort which would undoubtedly result from the creation of some such organisation would, in our opinion, have the advantage of concentrating and standardising measures of protection which have hitherto been scattered and contradictory. If we do not render such measures continuous and consistent, the agents of illicit trading will undoubtedly profit by our negligence.

LEAGUE OF NATIONS.

O. D. C./S.C.D./4.

SECOND OPIUM CONFERENCE,

DRAFT REPORT OF SUB-COMMITTEE "D".

RAPPORTEUR - MR. SHEPHERD - Delegate of Australia.

1. The Sub-Committee decided to proceed with its work independently of the other sub-committees and that the Rapporteurs should endeavour to ascertain what was being done by the other Sub-Committees.

The Advisory Committee's suggestions were taken as the basis for discussion.

2.

PART I of Advisory Committee's Proposals.

Article I. The Committee accepted in principle the Advisory Committee's recommendations. The American proposals were examined particularly the absence of any reference to HEROIN and the requirements for the supply of the estimates under the various headings as set out in those proposals.

The opinion of the sub-committee was that these propositions related more particularly to other sub-committees, or the main committee.

3.

Article 2. The Advisory Committee's proposals were agreed to in principle on the understanding that the Article would be interpreted in the light of the provisions as set out in Annex 2 paragraph 6 of the Advisory Committee's report .

It was further stipulated that the interests of the consuming countries must be fully protected in the event of short supplies or through combinations of producers or manufacturers so that the non-consuming countries should not be penalised in the matter of prices or adequate supplies for medical or scientific purposes. In connection with Article 2, the Sub-Committee could not accept the American proposal which provided for the fixing of quantities by the Central Board.

4.

Article 3. This was agreed to in principle, with the reservation that a suggestion should be made to the Conference that half the personnel of the Central Board should consist of representatives of consuming countries, who are neither producers nor manufacturers. The Sub-Committee did not consider it advisable to deal with the other detailed suggestions for the constitution of the Board as suggested by the American proposals.

Article 4. The Sub-Committee was unable to accept the obligation of supplying quarterly statistics as stipulated in the Advisory Committee's recommendations and the proposals in Article 20 D. of the American proposals, for the reasons that it was impossible in some countries to supply these statistics every three months, especially in regard to manufacture and wholesale stocks. Moreover it was understood that producing countries were only able to supply their statistics yearly, and it was not thought necessary for producing countries to supply them more frequently.

The Sub-Committee agreed to incorporate the suggestion in Section (a) of paragraph 1 of the American proposal that the source and destination of imports should be specified, but statistics should only be supplied yearly.

(b) The question of wholesale stocks "in Government or in private hands" was considered to be a question really for the producing countries but there was no objection to the proposal.

2. American proposals related to Sub-Committee "A".
3. American proposals related to producing countries only.

Remaining proposals postponed until after consideration of Article 5 and of the corresponding American proposals.

Considerable discussion took place on the proposals contained in Article 4 and Article 5 on the question of the power conferred on the Central Board to "fix the amount of the reasonable requirements" of a country and to prohibit the export of further stocks in cases where estimates were exhausted.

The General opinion of the Sub-Committee was that it could not agree to any such limitation of the sovereign powers of a State and that it should be left to each country to control its internal consumption.

It was also considered that in view of the alteration made in the previous paragraph regarding the provision of statistics annually instead of quarterly that this paragraph was inoperative and would therefore require re-drafting. It would be impossible for the Central Board to arrive at a decision "during the same year". It would only be possible to do this after the close of the year.

SUB-COMMITTEE "D".

. Article 5. Further discussion took place on this article in the question of the powers of the Board, it was therefore taken in sections:-

1. The action to be taken in cases of countries which furnished no estimates for their requirements.

The Committee considered that the Board should be empowered to fix the quantities to be supplied and that the whole of the remaining portion of the article should apply to those countries.

11. With regard to countries which furnished estimates and the powers of the Board, the Committee considered that the words "and to be likely to be used in part for the illicit traffic" were objectionable as they were really a charge of bad faith on the part of the country.

The Committee therefore decided that these words should be deleted.

The Committee also decided to include the suggestion contained in the American proposal that action on the part of the Board should be taken only after investigation. It recommended therefore the addition of the following words after "shall" in the 6th line "after enquiry and publication of the results of this enquiry".

The article, as amended, was then agreed to by the Committee.

Portugal made a reservation, and submitted a memorandum O.D.C/S.C.D/3 explaining the reasons for the reservation.

Article 6. The wording of this Article was considered to be very indefinite and the Committee was unable to arrive at any decision as to the meaning of the Article and its application. Namely whether it applied to producing countries only. Several delegates strongly objected to the clause but in the absence of a clear interpretation it was decided to postpone further consideration until a clear understanding of its intentions should be ascertained.

Sir Malcolm Delevingne attended a later meeting of the Sub-Committee and explained the reasons for including the Article.

The Sub-Committee was however, unable to agree upon the necessity for the clause in its present form and suggests - if the clause be still considered necessary - that it be redrafted to more clearly define its intention and application to particular cases.

Article XIII. The Committee decided that this clause was essential for the protection of the Signatories of the Convention and the clause was accepted with the addition of the last sentence of the American proposals which read -

"The Central Board shall communicate periodically to all the Parties to this convention the amount fixed in respect of each geographical area and the situation as regards the exports and re-exports thereto".

AUSTRALIAN, AUSTRIAN AND CUBAN PROPOSALS.

All these proposals have the same objective, namely the limitation of the production to actual medical and scientific requirements.

As the Australian proposal was the most definite and comprehensive, it was taken as the basis for discussion. It

recommends that the production of the growth of the raw materials in all countries which did not at present produce poppy or coca leaf, should be prohibited.

The Committee realised that this proposition imposed a very heavy obligation on non producing countries, but as restriction of production was the only practical method of combating the evil, agreed to the Australian proposal in principle but on the following conditions:-

- I. That the producing countries agreed to reduce their production
- II. That the interest of the consuming countries were fully protected in the matter of their obtaining adequate supplies to meet their reasonable requirements for medical and scientific purposes.

PORTUGUESE MEMORANDA O.D.C./S.C.D/3.

The Sub-Committee took note of the memorandum submitted by the Portuguese Delegation relating to the composition and competence of the Central Board. Without pronouncing on this memorandum the Sub Committee draws the attention of the Conference to the Memorandum and suggest that it should be submitted for consideration of the Central Board if the latter be constituted

REPORT OF SUB COMMITTEE F. O.D.C./S.C.F/5 (1)

The Sub Committee has considered the report and sees no objection to its adoption in view of the fact that the interests of consuming countries appear to be fully safeguarded as it is left to each country to determine its own requirements.

(signed) M. L. SHEPHERD.

SOCIÉTÉ DES NATIONS.

O.D.C./S.C.D./4 (1).

DEUXIÈME CONFÉRENCE DE L' OPIUM.

RAPPORT DE LA SOUS-COMMISSION D.

Rapporteur : M. SHEPHERD, Délégué de l'Australie.

La Sous-Commission a décidé d'entreprendre ses travaux, indépendamment des autres Sous-Commissions, et de prier le rapporteur de s'efforcer de se tenir au courant des résultats acquis par ces autres Sous-Commissions.

Les propositions de la Commission consultative ont été prises comme base de discussion.

SECTION I DES PROPOSITIONS DE LA COMMISSION CONSULTATIVE.

Article 1. La Commission a accepté, en principe, les recommandations de la Commission consultative; elle a examiné les propositions américaines et, en particulier, a noté d'une part, l'absence de toute mention relative à l'héroïne, et d'autre part, les dispositions prévues pour la fourniture des estimations sous les diverses rubriques énumérées dans les dites propositions.

La Sous-Commission a jugé que ces propositions relevaient plus spécialement de la compétence d'autres Sous-Commissions. Il a été entendu que les pays consommateurs étaient disposés à fournir les détails d'une manière pouvant convenir aux pays producteurs.

Article 2. Les propositions de la Commission consultative ont été approuvées en principe, étant entendu que l'article serait interprété en tenant compte des dispositions formulées au paragraphe 6 de l'Annexe 2 du Rapport de la Commission consultative.

Il a été en outre stipulé que, dans le cas où il y aurait pénurie de marchandises ou s'il s'établissait des ententes entre producteurs ou fabricants, les intérêts des pays consommateurs devraient être entièrement sauvegardés, de façon que les pays non producteurs ne soient pas lésés au point de vue du prix ou des quantités des substances qui leur sont nécessaires pour les besoins de la médecine ou de la science. En ce qui concerne l'article 2, la Sous-Commission n'a pas pu approuver la proposition américaine qui prévoit la fixation des quantités par le Comité central.

Article 3. Les dispositions de cet article sont approuvées en principe. Toutefois, une proposition sera transmise à la Conférence pour lui demander de décider que la moitié des membres du Comité central soit constituée par des représentants de ceux des pays consommateurs qui ne sont ni des pays de production ni des pays de fabrication.

Article 4. La Sous-Commission n'a pas cru pouvoir accepter l'obligation de fournir des statistiques trimestrielles, ainsi qu'il était prévu dans les recommandations de la Commission consultative et les propositions américaines (article 20 D) étant donné que certains pays sont dans l'impossibilité de fournir des statistiques tous les trois mois, notamment en ce qui concerne les quantités fabriquées et les approvisionnements du commerce de gros. En outre, la sous-Commission a été informée que les pays producteurs ne pouvaient fournir que des statistiques annuelles; dans ces conditions, elle n'a pas jugé nécessaire que les pays producteurs fournissent des statistiques plus fréquentes. Les statistiques annuelles seront fournies dans les six mois et non dans les trois mois, comme il est dit au paragraphe b.

La Sous-Commission a décidé d'adopter la suggestion faite à la Section 1), paragraphe a) des propositions américaines, à savoir que l'origine et la destination des importations soient spécifiées, mais que les statistiques ne soient fournies qu'annuellement.

b) La question des approvisionnements de gros "détenus par l'Etat ou par les particuliers" a été considérée comme une question qui intéresse en réalité les pays producteurs, mais aucune objection n'a été soulevée contre la proposition.

Section 2.- Des propositions américaines : Celles-ci relèvent de la compétence de la Sous-Commission A.

Section 3.- Des propositions américaines : Celles-ci visent exclusivement les pays producteurs.

L'étude des autres propositions a eu lieu après l'examen de l'article 5 et des propositions américaines correspondantes.

Un long débat a eu lieu au sujet des propositions formulées dans les articles 4 et 5 sur la question du pouvoir accordé au Comité central " de fixer le chiffre correspondant aux besoins raisonnables d'un pays et d'interdire l'exportation de nouvelles quantités, lorsque les estimations primitivement fixées ont été dépassées.

L'opinion générale de la Sous-Commission a été qu'elle ne pouvait approuver cette limitation des droits souverains d'un Etat et qu'il convenait de laisser à chaque pays le contrôle de sa consommation intérieure.

La Commission a également jugé qu'étant donné les modifications apportées aux articles 4 et 5, en ce qui concerne l'obligation de fournir les statistiques chaque année au lieu de chaque trimestre, lesdits articles étaient devenus inopérants et devaient, par conséquent, être rédigés à nouveau. Il serait ,

en effet, impossible pour le Comité central de prendre une décision "au cours de la même année". Le Comité central ne pourrait prendre de décision qu'au cours de l'année qui suit l'année en question.

Article 5. Cet article a provoqué une nouvelle discussion relative aux pouvoirs du Comité. Il a donc été décidé de diviser la question et d'étudier :

I.- Les mesures à prendre à l'égard des pays qui n'ont pas fourni des évaluations de leurs besoins.

La Commission a estimé qu'en ce cas, le Comité devrait pouvoir fixer les quantités qui doivent être fournies et que tout le reste de l'article devrait s'appliquer à ces pays.

II. Quant aux pouvoirs du Comité à l'égard des pays qui ont fourni ces évaluations, la Commission a estimé que la phrase "que le Comité suppose destiné en partie à alimenter un commerce illicite" soulevait des objections, car elle constituait une véritable accusation de mauvaise foi, portée contre le pays en question.

La Commission a donc décidé de supprimer ces mots.

La Commission a également décidé de faire figurer dans cet article la proposition du projet américain, aux termes de laquelle le Comité ne prendrait de mesures qu'après enquête. En conséquence, il a donc été recommandé d'ajouter les mots "après enquête et publication des résultats de cette enquête".

La Sous-Commission ne désire pas que le Comité central soit qualifié pour "fixer" un chiffre, mais admet qu'il "signale" à un pays qu'il est à prévoir qu'il dépassera le montant de son estimation.

L'article ainsi amendé a été adopté par la Commission.

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Le Portugal a formulé une réserve et présenté un mémorandum O.D.C./S.C.D./3. expliquant les motifs de cette réserve.

Article 6. La rédaction de cet article a été considérée comme très vague, et la Commission n'a pas pu aboutir à une décision quant au sens de cet article et à l'application qu'il convient d'en faire. Elle s'est demandée notamment s'il s'appliquait exclusivement aux pays de production. Plusieurs délégués ont soulevé de vives objections contre cette clause, mais vu l'absence d'une interprétation claire, il a été décidé d'en ajourner l'examen jusqu'à ce que l'on puisse en préciser clairement les intentions.

Sir Malcolm Delevingne a assisté à une réunion ultérieure de la Sous-Commission et a expliqué les raisons qui ont fait insérer cet article.

Toutefois, la Sous-Commission, ne pouvant se mettre d'accord sur l'opportunité de ladite clause, sous sa forme actuelle, a proposé, si on persistait à la considérer comme essentielle, de faire établir une nouvelle rédaction qui en préciserait le sens et déterminerait les cas spéciaux auxquels elle serait applicable.

Article XIII.

La Commission a décidé que cette clause était indispensable en vue de protéger les signataires de la Convention. Aussi, la clause a-t-elle été adoptée avec l'addition de la dernière phrase du projet américain, ainsi conçue :

" Le Comité central communiquera périodiquement à toutes les parties à la présente Convention le chiffre fixé pour chaque pays ou territoires, et indiquera la situation en ce qui concerne les importations et exportations à destination desdits pays ou territoires ".

PROPOSITIONS DES DELEGATIONS AUSTRALIENNE, AUTRICHIENNE ET CUBAINE.

Les propositions australienne, autrichienne et cubaine ont le même but : limiter strictement la production aux besoins médicaux et scientifiques,

Comme il répond au désir général des pays consommateurs de limiter la production auxdits besoins, la discussion des trois propositions a eu lieu conjointement; mais étant donné que la proposition australienne est plus précise, et d'une portée plus étendue que les autres, il a été décidé de la prendre comme base de discussion. Elle recommande l'interdiction de la culture des matières premières dans tous les pays qui ne produisent pas actuellement le pavot à opium ou la feuille de coca.

La Commission s'est rendu compte que cette proposition imposait une obligation très lourde aux pays non producteurs. Toutefois, la restriction de la production est un des moyens les plus efficaces de combattre le fléau, elle a adopté en principe la proposition australienne, mais aux conditions suivantes :

- I. que les pays producteurs s'engagent de leur côté à réduire leur production.
- II. que les intérêts des pays consommateurs soient pleinement protégés en ce qui concerne la possibilité pour eux d'obtenir les quantités nécessaires à l'effet de faire face à leurs besoins raisonnables au point de vue médical et scientifique.

MEMORANDUM PORTUGAIS. O.D.C./S.C.D./3:

La Sous-Commission a pris note du memorandum présenté par la délégation portugaise sur la composition et la compétence du Comité central, sans se prononcer sur ce memorandum: la Sous-Commission le signale à l'attention de la Conférence, et propose qu'il soit soumis à l'examen du Comité central si la création de cet organisme est décidée.

RAPPORT DE LA SOUS-COMMISSION "F". O.D.C./S.C.F./5.(1).

La Sous-Commission a examiné le rapport et ne voit aucune objection à ce qu'il soit adopté; les intérêts des pays consommateurs semblent, en effet, pleinement sauvegardés, car le projet laisse à chaque pays le soin de fixer le chiffre de ses propres besoins.

(signé) M.L. SHEPHERD.

LEAGUE OF NATIONS.

SECOND OPIUM CONFERENCE

REPORT OF SUB-COMMITTEE "D".

RAPPORTEUR - Mr. SHEPHERD - Delegate of Australia.

The Sub-Committee decided to proceed with its work independently of the other sub-committees and that the Rapporteur should endeavour to ascertain what was being done by the other Sub-Committees.

The Advisory Committee's suggestions were taken as the basis for discussion.

PART I of Advisory Committee's proposals.

Article I. The Committee accepted in principle the Advisory Committee's recommendations. The American proposals were examined and the absence of any reference to heroin was noted. Note was also taken of the provisions for the supply of the estimates under the various headings as set out in those proposals.

The opinion of the sub-committee was that these proposals concerned more particularly other sub-committees. The understanding was that the consuming countries were prepared to supply the particulars in such form as might be agreed to by the producing countries.

Article 2. The Advisory Committee's proposals were agreed to in principle on the understanding that the Article would be interpreted in the light of the provisions as set out in Annex 2 paragraph 6 of the Advisory Committee's report.

It was further stipulated that the interests of the consuming countries must be fully protected in the event of short supplies or through combinations of producers or manufacturers so that the non-consuming countries should not be penalised in the matter of prices or adequate supplies for medical or scientific purposes. In connection with Article 2, the Sub-Committee could not accept the American proposal which provided for the fixing of quantities by the Central Board.

4.

Article 3. This was agreed to in principle, with the reservation that a suggestion should be made to the Conference that half the members of the Central Board should consist of representatives of consuming countries, who were neither producers nor manufacturers.

Article 4. The Sub-Committee was unable to accept the obligation to supply quarterly statistics as stipulated in the Advisory Committee's recommendations and the proposals in Article 20 D. of the American proposals, because it was impossible in some countries to supply these statistics every three months, especially in regard to manufacture and wholesale stocks. Moreover it was understood that producing countries were only able to supply their statistics yearly, and it was not thought necessary for producing countries to supply them more frequently. It was agreed to supply the statistics within 6 months not 3 months as mentioned in par.(b). The Sub-Committee agreed to incorporate the suggestion in Section (1) of paragraph (a) of the American proposal that

the source and destination of imports should be specified, but statistics should only be supplied yearly.

(b) The question of wholesale stocks "in Government or in private hands" was considered to be really a question for the producing countries but there was no objection to the proposal.

Section 2 of the American proposals concerned Sub-Committee "A". Section 3 of the American proposals concerned producing countries only.

The remaining proposals were considered after the examination of Article 5 and of the corresponding American proposals.

Considerable discussion took place on the proposals contained in article 4 and article 5 on the question of the power conferred on the Central Board to "fix the amount of the reasonable requirements" of a country and to prohibit the export of further quantities in cases where estimates were exceeded.

The general opinion of the sub-Committee was that it could not agree to any such limitation of the sovereign powers of a State and that it should be left to each country to control its internal consumption.

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It/also considered that in view of the alteration made in Articles 4 and 5 regarding the provision of statistics annually instead of quarterly that ArticleS4 and 5 would require redrafting. It would be impossible for the Central Board to arrive at a decision "during the same year". It would only be possible to do this after the close of the year.

Article 5. Further discussion took place on this article on the question of the powers of the Board, it was therefore taken in actions:-

- . The action to be taken in cases of countries which furnished no estimates for their requirements.

The Committee considered that the Board should be empowered to fix the quantities to be supplied and that the whole of the remaining portion of the article should apply to those countries.

II. With regard to countries which furnished estimates and the powers of the Board, the Committee considered that the words "and to be likely to be used in part for the illicit traffic" were objectionable as they were really a charge of bad faith on the part of the country.

The Committee therefore decided that these words should be deleted.

The Committee also decided to include the suggestion contained in the American proposal that action on the part of the Board should be taken only after investigation. It recommended therefore the addition of the following words "after enquiry and publication of the results of this enquiry".

The Sub-Committee objected to the Central Board being empowered to "fix" but had no objection to the Board "indicating" to a country that it was likely to exceed its estimate.

The Article, as amended, was then agreed to by the Sub-Committee.

Portugal made a reservation, and submitted a memorandum (O.D.C/S.C.D/3) explaining the reasons for the reservation.

Article 6. The wording of this Article was considered to be very indefinite and the Committee was unable to arrive at any decision as to the meaning of the Article and its application, namely whether it applied to producing countries only. Several delegates strongly objected to the clause but in the absence of a clear interpretation Sir Malcolm Delevingne was invited to attend a later meeting of the Sub-Committee and explain the reasons for including the Article.

The Sub-Committee was however, unable to agree upon the necessity for the clause in its present form and suggested that if the clause be still considered necessary - it should be re-drafted to make clear the intention and determine the special cases to which it would be applicable.

Article XIII. The Committee decided that this clause was essential for the protection of the Signatories of the Convention and the clause was accepted with the addition of the last sentence of the American proposals modified to read as follows:-

"The Central Board shall communicate periodically to all the Parties to this Convention the amount fixed in respect of each country or territory and the situation as regards the exports and re-exports thereto".

AUSTRALIAN, AUSTRIAN AND CUBAN PROPOSALS.

The Australian, Austrian and Cuban proposals had the same objective, namely the limitation of the production to strictly medical and scientific requirements. It being the general desire of the consuming countries to limit production to the actual requirements, the discussion on the three proposals was taken concurrently but as the Australian proposal was the most definite

and comprehensive, it was taken as the basis for discussion. It recommended that the production of the growth of the raw materials in all countries which did not at present produce poppy or coca leaf, should be prohibited.

The Committee realised that this proposal imposed a very heavy obligation on non producing countries, but as restriction of production was one of the most effective methods of combating the evil, agreed to the Australian proposal in principle but on the following conditions:-

- I. That the producing countries should undertake on their part to reduce their production.
- II. That the interests of the consuming countries should be fully protected in the matter of their obtaining adequate supplies to meet their reasonable requirements for medical and scientific purposes.

PORTUGUESE MEMORANDA O.D.C/S.C.D/3.

The Sub-Committee took note of the memorandum submitted by the Portuguese Delegation relating to the composition and competence of the Central Board. Without pronouncing on this memorandum the Sub-Committee drew ^{the} attention of the Conference to the Memorandum and suggested that it should be submitted for consideration of the Central Board if the latter were constituted.

REPORT OF SUB-COMMITTEE F. O.D.C/S.C.F/5 (1).

The Sub-Committee considered the report and saw no objection to its adoption in view of the fact that the interests of consuming countries appeared to be fully safeguarded since it was left to each country to determine its own requirements.

(Signed) N.L. SHEPHERD.

SOCIÉTÉ DES NATIONS.

O.D.C. 77.

DEUXIÈME CONFÉRENCE DE L'OPIMUM.

Rapport de la Sous-Commission D.

E r r a t u m .

Page 2 du texte français, article 4, ligne 10:

au lieu des mots: "Les pays producteurs" lire "les pays non-producteurs".

Page 2 du texte anglais, paragraphe 1, ligne 4;

au lieu des mots: " the non-consuming countries" lire " the non producing countries".

Page 2 du texte anglais, paragraphe 3, ligne 9:

au lieu des mots : "producing countries" lire "non-producing countries".

O, D. C. / S. C. E. / P. V. I

LEAGUE OF NATIONS,

S E C O N D O P I U M C O N F E R E N C E .

Sub-Committee E.

Provisional Minutes of the First Meeting held in Geneva,
on Saturday, November 29th, 1924, at 3.30 p.m.

President: M. BOURGOIS (France)

Present: British Empire	Sir Malcolm DELEIVINGNE
China:	M. SZE Mr. WILLOUGHBY
Danzig:	Dr. STADE
France:	M. BOURGOIS
Germany:	M. von ECKHARDT M. ASCHMANN Dr. ANSELMINO
India:	Mr. CAMPBELL
Italy:	M. FABRIS
Japan:	M. SUGIMURA Dr. MIYAJIMA
Netherlands:	M. van WETTUM M. de KAT ANGELINO
Persia	Prince ARFA-ED-DOWLEH
Portugal:	M. FERREIRA
Switzerland:	M. PEQUINOT
United States of America:	Mr. NEVILLE

1. OPENING SPEECH BY THE CHAIRMAN.

The CHAIRMAN thanked his colleagues for the honour they had conferred upon him by appointing him as their Chairman. He was certain that the sub-Committee would bring its work to a rapid and successful issue and that it could soon be transformed into a drafting committee.

2. SPEECH BY M. FERREIRA (Portugal).

M. FERREIRA (Portugal) thanked his colleagues for having appointed him a member of their sub-Committee. He recalled the fact that Portugal had collaborated in all the conferences and all work connected with the campaign against drugs and added that he took the keenest interest in this campaign which primarily pursued humanitarian aims.

3. METHOD OF WORK

The CHAIRMAN proposed examining seriatim each of the measures proposed by the Advisory Committee, together with the corresponding articles in the draft of the United States delegation. The question of import certificates should, however, be the subject of a separate examination.

M. FABRIS (Italy) and Sir Malcolm DELEIVINGNE (British Empire) supported this proposal.

M. SUGIMURA (Japan) proposed that the former members of the Preparatory Committee should meet as a limited committee with a view to drafting a text regarding the questions on the Agenda which would reconcile the views of the Advisory Committee, the United States delegation and the French delegation.

The CHAIRMAN, for his part, approved the procedure suggested by the Japanese delegate. He proposed that the other members of the sub-Committee should first make known

3.

their opinion, either orally or in writing, with regard to import certificates; a meeting of the sub-committee might, moreover, be summoned at any time.

M. PEQUINOT (Switzerland), M. FERREIRA (Portugal) and M. FABRIS (Italy) supported M. Sugimura's proposal.

M. SUGIMURA (Japan) proposed to divide the work of the limited committee into sections; as soon as the first section of the work was finished, it would be brought before the sub-committee, which would meet to consider it.

M. FERREIRA (Portugal) proposed that M. Sugimura should be a member of this Committee.

Mr. NEVILLE (United States) was in favour of adding new members to those already on the Preparatory Committee (namely, M. Bourgois, Sir Malcolm Delevingne, M. van Wettum and himself).

M. SZE (China) supported M. Ferreira's proposal. He would like to take part in the meetings of the limited Committee when the question of contraband was under discussion.

The Sub-Committee decided to set up the limited Committee; this Committee would consist of former members of the Preparatory Committee, (M. Bourgois, Sir Malcolm Delevingne, Mr. Neville, M. van Wettum) and of M. Sugimura, while M. Sze would sit on the limited Committee when the question of contraband was under discussion. Every member would have the right to sit on the limited Committee in order to support his proposal. Whenever the limited Committee should have arrived at an agreement upon any point, the matter would be put before the Sub-Committee.

4.

4. MEASURES SUGGESTED BY PART II OF THE REPORT OF THE ADVISORY COMMITTEE. GENERAL DISCUSSION.

Mr. CAMPBELL (India) declared his acceptance of the measures in question.

Prince ARFA-ED-DOMLEH (Persia) also accepted these measures, subject to the reservations made at the Plenary Conference by the Persian Delegation.

M. SUGIMURA (Japan) also accepted the principles of these measures, to which he gave his strong support. As regards (XI) it was important to define the meaning of the word "transshipment". There was transshipment when goods were passed from one vessel to another without a change of destination.

The meeting rose at 4.45 p.m.

LEAGUE OF NATIONS.

SECOND OPIUM CONFERENCE.

Sub-Committee B.

PROVISIONAL MINUTES

of the Second Meeting held at Geneva on Monday, December 15th,
1924, at 3.50 p.m.

M: BOURGOIS (France) in the Chair.

Present: The members of the Sub-Committee.

REPORT OF THE COMMITTEE OF FIVE.

Sir Malcolm DELEVINGNE (British Empire), rapporteur of the Committee of Five, reminded the Sub-Committee that the Conference had referred to the Committee of Five the greater portion of Part II of the Advisory Committee's proposals, and the corresponding part of the American suggestions, together with various other proposals submitted by a number of Governments.

The question of import certificates, which was found in Part II, had been satisfactorily solved, the system proposed having been unanimously adopted by the Committee.

The rapporteur explained the various changes in the new text as compared with the text of the Advisory Committee.

In Article II the words indicating the quantity imported and the names and addresses of the importers were new, as well as the time allowed for importation.

In Article III (V) the phrases concerning the expiration of the period fixed for the importation and concerning the endorsement were new. Paragraph VI was also new. The sentence "In such a case the export authorisation" etc. in (VII) was new.

Articles X and XI had been recast but the procedure suggested was quite simple. The first sentence of Article X had been inserted at the request of the Netherlands Delegation, which had pointed out that the Netherlands authorities could not require a declaration in the case of goods in transit on the Scheldt for Antwerp.

Article XII was intended to prevent any alteration in the packing. Article 6 in Section VII of the Advisory Committee's draft had been slightly modified. The Netherlands Delegate had requested that the sentence in the Hague Convention which the Advisory Committee had proposed to omit should be retained. The Committee of Five finally adopted the proposal of the Advisory Committee. Article 20 F was intended to prevent the illicit dealings of traffickers operating between countries in which they did not reside, and to have them punished under the laws of the country in which they did reside, as was provided under British legislation. They had proposed that the corresponding article of the Convention drawn up by the First Opium Conference should be inserted; the Delegation of the United States of America had made a reservation on this subject. No final decision had been taken concerning Article 4 of the Hague Convention.

M. PEQUIGNOT (Switzerland) then read a declaration.
(See Annex A).

The Sub-Committee proceeded to consider the draft, article by article.

The CHAIRMAN said he thought that the Convention should draw the attention of Governments to the desirability of inflicting very heavy penalties for the offence of trafficking in opium. He thought it would also be advisable to ask

officials to send information concerning this traffic direct through consuls, etc.

On the proposal of M. SUGIMURA (Japan), Sir Malcolm Delevingne was appointed Rapporteur of the Sub-Committee to the Plenary Conference.

Article II.

M. SUGIMURA (Japan) asked Sir Malcolm Delevingne to define the difference between licences and import certificates.

Sir Malcolm DELEVINGNE (British Empire) replied that the import certificate was a document certifying that importation had been authorised.

M. Van WETTUM (Netherlands) pointed out that in the Netherlands the same document was used for the certificate and for the authorisation to import.

The CHAIRMAN said he thought it would be advisable to employ the expression "import authorisation certificate".

It was decided that the question of the expression to be employed should be left to the Drafting Committee.

Article II was adopted.

Article III was adopted.

Article IV.

M. OLDENBERG (Denmark) said he thought that in view of the slowness of diplomatic procedure, it would be desirable for the communications referred to in this paragraph to take place direct and rapidly.

It was decided that this point should be mentioned by Sir Malcolm Delevingne in his report.

Article IV was adopted.

Articles V, VI, VII and VIII were adopted.

Article IX.

M.FABRIS (Italy) read a statement. (Annex B)

It was decided that Sir Malcolm Delevingne should mention in his report the point raised by the Italian Delegate and that the Drafting Committee should take it into consideration.

Article IX was adopted.

Article X.

M.SUGIMURA (Japan) referred to the case of transport by aeroplanes. If an aeroplane flew over a territory, could it be said that this was a case of transit?

It was decided that the point should be mentioned by Sir Malcolm Delevingne in his report.

Paragraph 1, M.ASCHMANN (Germany) said that it should be sufficient for the country of transit to be obliged to supervise the goods in transit as such. Such supervision (Zollverschluss) was very strict and effective in Germany. It was forbidden to deliver goods in transit to any person, or to change the contents and packing - a matter to which reference was also made in the draft of the new Convention. Moreover, an examination of the declaration to see that it was full and accurate would be very difficult, would take too long and would require a great many officials. Germany, as a country of transit, would prefer that the expression "unless a full and accurate declaration" down to the words "copy of the export authorisation" should be omitted.

This proposal was adopted.

Paragraph 1 was adopted with the German amendment.

Paragraph II.

Paragraph II was adopted.

Paragraph III.

It was decided to omit Paragraph III.

It was decided that Sir Malcolm Delevingne should refer to this point in his report and that the Drafting Committee should insert a clause on "misrouting" in the article of the Convention referring to penalties.

Articles XI and XII were adopted.

PART III. RECOMMENDATIONS.

Number 2.

It was agreed that the measures provided for in No. 2 should not apply as between Contracting Parties and non-Contracting countries.

It was agreed that Contracting Parties should not authorise excessive exportation to non-contracting countries.

It was agreed that Sir Malcolm Delevingne should refer to these points in his report and that the Drafting Committee should discover a wording which would meet the case.

As the proposal to add the words "and derivatives" from the text of Articles 7, 10 and 11 of the United States suggestions had been submitted to Sub-Committee F, Sub-Committee E decided not to examine it for the moment.

As regards Article 10 of the Hague Convention, M. COEBERGH (Netherlands) said he thought that the authors of the 1912 Convention had inserted the last sentence of Article 10 in order that the registration of narcotics by chemists and doctors might be left to legislators to decide according to conditions prevailing in their respective countries.

For instance, in the Netherlands the control of consumption was adequately regulated by a law on the practice of pharmacy in such a way that chemists and doctors were required to keep for 20 years all medical prescriptions and written requests for the delivery of poisons. His four years' experience had convinced him that it was not necessary to oblige chemists and doctors to keep special registers for narcotics.

Moreover persons who had had experience in the keeping of registers by doctors would agree that too much faith could not be placed in such records. Very wide control therefore would have to be exercised if any good results were to be obtained, and he thought that even such control would not attain the object they had in view.

He therefore thought that it would be preferable to adhere to the standpoint adopted by the authors of the 1912 Convention, as the Norwegian Government had proposed. They might if necessary add to the article in question that the rule did not apply in the case of chemists in countries which had satisfactorily regulated the keeping of records concerning narcotics.

M. SUGIMURA (Japan) said that he could not accept the argument of the Netherlands Delegation that the Hague Convention had left the settlement of this question to the discretion of each country.

Sir Malcolm DELEVINGNE (British Empire) proposed the following text:-

"This rule will not necessarily apply to quantities supplied to patients by their doctors, nor to sales made on medical prescriptions by duly authorised chemists, if these prescriptions are duly preserved by the doctor or the chemist."

This text was adopted.

As regards "penalties" (last paragraph of page 8) M. PERUIGNOT (Switzerland) stated that difficulties of a constitutional and legislative order would prevent Switzerland from carrying out this recommendation.

The Sub-Committee agreed to the recommendation of the Committee of Five, leaving the United States Delegate to formulate his reservations.

Norwegian proposal (Page 8, paragraph 4)

As the previous proposal concerning Article 10 of the Hague Convention, submitted by Sir Malcolm Delevingne after M. COSBERGH'S statement, had been accepted, the text of the paragraph in question was modified as follows:

"Part II, paragraph 2, (C.D.C. 20) of the Norwegian proposals is covered by Article 4 of the Hague Convention. The Sub-Committee decides provisionally to omit this article."

M. NEVILLE stated that he was not able to accept this decision at present.

As regards the question of including coca leaves in the Convention it was decided that the Rapporteur should get into touch with the Bolivian Delegate on this subject, and that the Delegate should be heard at the meeting at which the Report would be communicated to the Sub-Committee.

The meeting rose at 7.30 p.m.

STATEMENT BY M. PEQUIGNOT.

Delegate of Switzerland.

With a view to preventing and dispelling misunderstandings, I desire to make the following statement:-

At a meeting of Sub-Committee D held on December 2nd, 1924, the Swiss Delegate explained the reasons for which his Government found itself unable to agree to the system described in Part I of the "measures suggested as a basis for the deliberations of the Conference" - a system designed to limit the manufacture of narcotics and to fix the quantities which may be manufactured. Deeply attached though she is to the ideal of international solidarity, Switzerland does not feel able to assume obligations imposed by virtue of an uncertain and variable system which constitutes, as the French Delegate M. Bourgois has said, a most dangerous incitement to speculation and illicit traffic. But, this being said, I desire to declare that my Government, which is firmly resolved to co-operate effectively in strengthening the measures employed for the national and international control of the traffic in narcotics, adheres unhesitatingly to the principle contained in the proposals which have been laid before our Sub-Committee by the Committee of Five. It will perhaps, propose certain amendments, in particular as regards the declaration to be made to the authorities of the country through whose territory a consignment of any of the substances mentioned in the Convention (Article 13, heading X Section 1) is sent. But the Swiss Government considers that as a whole the proposals submitted to Sub-Committee E are reasonable and practicable, and it is pre-

pared, for its part, to carry them into effect.

In this connection it may be of interest to point out that on October 2nd, 1924, the Swiss Parliament passed a law concerning narcotics. Under the constitutional system of my country, any law passed by Parliament must be submitted to the people for adoption or rejection if 30,000 citizens make a request to that effect within 90 days after the official promulgation of the law. As the Swiss law on narcotics was published on October 8th, 1924, the time limit for lodging objections expires on January 5th, 1925. We have no reason to suppose that the right of referendum will be exercised. It is not within our knowledge that any campaign has been organised to this effect, and the law, together with the regulations for its application which are in process of elaboration, will probably come into force in the spring of 1925. I may add that Switzerland regards it as natural and honest not to ratify an international treaty until the provisions for ensuring its execution have definitely become part of the law of the country.

The Swiss law on narcotics, a copy of which has been transmitted to all Delegations by the Secretariat of the Conference, makes provision for the strict and loyal application of the Hague Convention. It makes the manufacture, importation, exportation and wholesale and retail sale of the products mentioned in the Convention dependent upon the obtention of a licence. It goes further, inasmuch as the control which it institutes also applies to coca leaves. Control will be exercised: (1) within the country, by the Cantons under the supervision of the Confederation; (2) on the frontiers of the country (importation and exportation) and in free ports and warehouses, by the Confederation.

This law makes it possible to trace any quantity whatever of a narcotic drug from the moment that it leaves the factory

or enters Switzerland until the moment that it reaches the consumer, i.e. the patient. Manufacturers, public pharmacies, doctors, dentists and veterinary surgeons are required to keep a special register in which the stocks of the products mentioned in the Hague Convention are inscribed, together with the quantities of these products which they have received and issued, and the purpose for which they were employed. The places of sale and warehouses must be open to the control officials, and the stocks and the register of which I have spoken must be shown to them. Exportation can take place only if the consignee has obtained the authorisation or licence provided for in the laws and regulations of the importing country.

The penalties prescribed by the law are very severe. Any person who, not being authorised to do so, manufactures, prepares, imports, exports, is in possession of, holds, sells, cedes even gratuitously or offers to sell or cede the products mentioned in the Convention, is liable to a term of imprisonment not exceeding one year, or to a fine not exceeding 20,000 francs, or to both of these penalties. Any person who wilfully makes false entries or omits to make the prescribed entries in the register of stocks and of quantities received and issued, is liable to the same penalties. Any person who prevents the measures of control from being carried out is liable to a term of imprisonment not exceeding six months or to a fine not exceeding 5,000 francs. In the event of the wilful violation of the law by a person officially responsible for its application, ~~the~~ ^{the} penalties are doubled; they are also doubled if the offence is repeated. The attempt to commit these offences is likewise punishable and the law also authorises the sequestration and confiscation of the goods.

You all know that it is a tradition in my country scrupulously to enforce the law. Switzerland, faithful to its traditions, will see to it that the law concerning narcotics is duly observed. In the international sphere she has assumed all the undertakings which appear to her to be susceptible of execution, and she has kept these undertakings. Her name, her nature and her very soul are surely, as has been said, a confirmation of international solidarity. You may rest assured, therefore, that Switzerland will faithfully fulfil the obligations imposed on her by the Hague Convention as well as any further obligations which she may contract as a result of this Conference.

ANNEX B.

STATEMENT BY M. FABRIS. (Italy)

As regards the application of the laws and regulations concerning narcotics in free ports, I venture to state that in Italy goods which are introduced into free ports are not subjected to any control on the part of the revenue authorities. There are, however, certain kinds of goods the introduction of which into free ports is forbidden.

It is the duty of the revenue officials to prevent these goods (the importation of which is forbidden by law, and which are: raw and manufactured tobacco, explosives, inflammable substances, phosphorus and petroleum) from being introduced into free ports.

There is no other control over goods either when imported or exported through free ports.

The Italian Government would encounter great difficulty in establishing effective control in free ports in the form suggested in the Committee's report.

However, the Italian Government, being fully aware of the gravity of the question and of the need to prevent the fraud, which might easily occur in free ports, is prepared to take the necessary steps to place opium, morphine, cocaine and other narcotics on the list of goods the introduction of which into free ports is absolutely forbidden.

A measure of this nature would certainly not be contrary to the Committee's proposal; it would be even more severe than that proposal.

LEAGUE OF NATIONS.

O.D.C./S.C.E./P.V.3.

SECOND OPIUM CONFERENCE.

SUB-COMMITTEE E.

Draft Minutes of the Third Meeting held at
Geneva on Wednesday, December 17th, 1924 at 3.30 p.m.

M. BOURGOIS in the Chair.

Present: The members of the Sub-Committee, with the
exception of the Delegates of Danzig, India, Persia
and the Serb-Croat-Slovene State.

1. EXAMINATION OF THE SUB-COMMITTEE'S REPORT. (O.D.C./S.C.E./4.)

Sir Malcolm DELEIVINGNE (British Empire), Rapporteur of
the Sub-Committee, stated that his Report had been written and
translated in great haste, and must be regarded as provisional.

The CHAIRMAN thought that in that case it could be
very quickly dealt with.

M. SUGIURA (Japan) thanked Sir Malcolm Delevingne for
his valuable Report. He did not think it necessary to discuss
it there and then. He hoped that the text would be adopted as it
stood.

M. Van WESTUM (Netherlands) agreed to accept the Report
provisionally.

The Sub-Committee then discussed the Report page by page.

Page 6.

M. FABRIS (Italy) suggested, as an amendment, in the
second line of paragraph 2, that instead of "the Italian Govern-

ment are going to prohibit entirely," they should say "the Italian Government have prohibited entirely."

Page 7.

The CHAIRMAN directed attention to the second paragraph on page 7, relating to the transport of goods by air. He hoped that the Delegates would consult their Governments on this question, as smuggling by air had become very common.

Sir Malcolm DELEVINGNE (British Empire) stated that he would ascertain what agreements had been concluded by Great Britain in the matter.

Page 7.

Mr. NEVILLE (United States of America) emphasised the importance of the question dealt with in the fifth paragraph on page 7, and hoped that Delegates would consult their experts on the matter.

Page 8.

M. Pinto ESCALIER (Bolivia) stated that, as regards the fourth paragraph on page 8, he had no objection to the inclusion of coca leaves in the Convention, and that he had informed Sub-Committee B of the fact.

Mr. NEVILLE (United States of America) declared that he could not agree then to the omission of the article relating to the marking of packets (page 10), but that he reserved the right to raise the question again.

The Report was provisionally adopted, with the amendments proposed.

The CHAIRMAN insisted on the importance of penalties and the desirability of exchanging information.

Mr. NEVILLE (United States of America) thought that information might also be exchanged in regard to confiscation.

The CHAIRMAN agreed with him.

It was decided that the proposal by the German Delegation regarding penal measures should be dealt with on the resumption of work in January, 1925. (Document O.D.G./S.C.E./3). The Delegations agreed to consult their Governments on the proposal.

2. ADJOURNMENT.

M. PEQUIGNOT (Switzerland) thanked the Committee of Five for their work, to which they had devoted themselves so untiringly under the able guidance of the Chairman.

The CHAIRMAN thanked Sir Malcolm Delevingne for his Report. He declared the work of Sub-Committee E adjourned.

The meeting rose at 4.30 p.m.

LEAGUE OF NATIONS.

O.D.C./S.C.E./P.V.4.

SECOND OPIUM CONFERENCE.

Sub-Committee E.

Fourth Meeting

held on Tuesday, January 27th, 1925 at 3.30 p.m.

M. BOURGOIS (France), in the Chair.

Present:

Prince ARFA-ED-DOWLEH	(Persia)
Sir Malcolm DELEIVINGNE	(British Empire)
M. FABRIS	(Italy)
M. HULFTEGGER	(Switzerland)
Mr. NEVILLE	(United States)
M. SUGIMURA	(Japan)
M. Sao-Me Alfred SZE	(China)
Mr. WATSON	(India)
M. Van WETTUM	(Netherlands)
Dr. GOTUZZO	(Brazil)

Secretary: Dame Rachel Crowdy.

Coordination Committee: Election of Representatives of Sub-

Committee E.

The CHAIRMAN reminded the Members that the Sub-Committee was to be represented on the Coordination Committee by its Chairman and two elected delegates. Several Sub-Committees had decided to elect as delegates Members representing opposite points of view. This aspect of the question did not arise in the case of Sub-Committee E, which was more in the nature of a drafting Committee. The Members already elected by the other Sub-Committees to sit on the Coordination Committee were representatives of the following countries:

British Empire

France

Germany

Netherlands

Switzerland

United States

The countries represented on Sub-Committee E who had not as yet any representatives on the Coordination Committee were the following:-

Brazil
China
Denmark
India
Italy
Japan
Persia
Serb-Croat-Slovene State

Mr. NEVILLE (United States) proposed that a ballot should be held and that Members obtaining a majority, irrespective of the number of votes cast, should be considered elected.

Prince ARFA-ED-DOULEH (Persia) thought that it would be better if the names of candidates were submitted first.

The Sub-Committee decided to vote immediately by ballot,

Eleven delegates voted.

The result was as follows:

Japan	9 votes
Brazil	4 votes
Italy	4 "
India	3 "
China	1 "
United States	1 "

The CHAIRMAN declared the Japanese representative elected, and added that a fresh ballot would be taken for the second representative. According to the usual procedure the only candidates were the Brazilian and Italian representatives, who were second in the first vote.

Dr. GOTUZZO (Brazil) declared his readiness to withdraw in favour of the Italian delegate.

M. FABRIS (Italy) thanked the Brazilian delegate, but thought that it would be better if a vote were taken by the Sub-Committee.

A ballot was taken, 11 representatives voting. The result was as follows:-

Italy	7	votes
Brazil	4	"

The CHAIRMAN declared the Italian representative elected.

Provisional Report of Sub-Committee E.

The CHAIRMAN reminded the Sub-Committee that one of the items on its agenda was the examination of the provisional report. Certain members of the Sub-Committee had asked that the examination might be postponed, as they were detained elsewhere studying the reports of the various Sub-Committees and consulting their colleagues. There appeared to be no objection to the adjournment, as the Sub-Committees' resolutions had almost always been unanimous and discussion had been confined chiefly to questions of drafting. It was desirable, however, as the Secretariat had to prepare a summary of the various reports in order to facilitate the work of the Coordination Committee, that Sub-Committee E should adopt its final report as soon as possible. He proposed, therefore, that they should hold a meeting for this purpose, the following morning.

Sir Malcolm DEBIVINGNE (British Empire) agreed to the postponement of the adoption of the report until the following morning, but thought it desirable that the different members of the Sub-Committee should submit there and then any observations which they might have to make on the report.

He reminded the Sub-Committee that it had held over certain points relating to Article X of the scheme. The first part of that Article followed the provisions of the agreements regarding traffic on navigable waterways of international concern (Danube, Rhine, Scheldt, Panama Canal, Suez Canal, etc.) It would only require a slight addition to the text of the scheme to bring

/Article X into line with the

provisions of Articles 2 and 15 of the Convention of October 13th, 1919 relating to International Air Navigation. As regards postal packets, enquiries which he had made of the British Postmaster General had convinced him that it would be impossible to exercise supervision over postal packets in transit. The drafting of the first paragraph of Article X was, therefore not sufficiently accurate, but required the addition of the words; "except in the case of postal packets".

Mr. NEVILLE (United States) supported this suggestion. Even if the authorities of the countries through which postal packets passed in transit had the right to exercise supervision, it would in practice be impossible for them to do so, owing to the large number of postal packets sent through certain countries.

M. SUGIMURA (Japan) wished to make two observations;

1) The question of customs control had not been settled and was being investigated by an international committee in Paris. It had been discussed two years previously at the Conference on Customs Formalities and the delegates had all agreed that it could not be settled then.

2) The 1919 Convention relating to International Air Traffic only concerned some twenty States, and strictly speaking, therefore, was not a general Convention. It did not include certain countries represented on Sub-Committee E, as, for example, the United States, the Netherlands, Brazil, China, etc. The speaker therefore thought that the question of air traffic should be regarded as a matter of domestic jurisdiction and should not be dealt with in the report, otherwise the States parties to the 1919 Convention would be bound by provisions which did not apply to States non-parties to the Convention, and this would be most unfair.

When a State had grounds for suspecting a case of smuggling by air, it should not be prevented under the terms of a Convention from ordering the aircraft to land, as otherwise the existence of international agreements of this nature would have the effect of benefiting smugglers. The general principle to be adopted should be that States should adhere to all agreements which promoted international communications, but that their sovereign rights should not be diminished as regards the measures to be taken against offenders.

Sir Malcolm DELEVINGNE (Great Britain) thought that there had been a slight misunderstanding. They were not considering the Japanese Government's right, for example, to order aircraft to land if it suspected a case of illicit traffic. The 1919 Convention applied to all kinds of traffic and primarily to lawful traffic. In such cases, aircraft should be given free passage over countries of transit.

Mr. NEVILLE (United States) pointed out that as regards the United States the question was one which settled itself automatically; no aircraft could fly over the United States without landing. In Japan too, aircraft would have to land, as otherwise they would be obliged to fly straight across the Pacific, which might be a risky proceeding.

The CHAIRMAN emphasised the importance of the question under discussion and suggested that the British and Japanese Delegates should consult together with a view to submitting a joint proposal at the next meeting. Other delegates might also wish to join in the discussion.

M. SUGIMURA (Japan) stated that the question which he had raised was of purely academic interest to Japan, but that it was of great importance to certain European countries, such as Switzerland and the Netherlands, over which the air traffic was very considerable.

On the proposal of Sir Malcolm DELEIVINGNE, the words "the import and export" in the second paragraph of page 6 of the report (O.D.C.78) were replaced by the word "introduction".

Mr. NEVILLE (United States) wondered whether it would not be desirable to recommend the standardisation of import and export certificates.

Mr. van WETTUM (Netherlands) replied that the point had already been discussed, but that the suggestion had been found impracticable.

Mr. NEVILLE (United States) stated that his recollection of the matter was somewhat different but he did not press the matter at the moment.

The CHAIRMAN pointed out that the Contracting Powers would have to introduce certain measures into their national legislation for the purpose of providing the guarantees laid down in the Convention. He suggested that it might be desirable to provide for the creation of an organisation which, in case of dispute, should give a decision as to whether these measures were in conformity with the undertakings entered into under the Convention. This point might be discussed at the next meeting.

Mr. van WETTUM (Netherlands) thought that the Permanent Court of International Justice might act in this capacity.

M. SUGIMURA (Japan) thought it undesirable to lay down that all such cases should be brought before the Permanent Court. He reminded Members that in the matter of transit the League Committee for Communications and Transit had been appointed as the body to which cases were referred in the first instance, a happy innovation which might be taken

as a precedent in the present case. He enquired whether the Chairman's suggestion involved an extension of the competence of the Central Board.

The CHAIRMAN replied that these points could be discussed on the following day. He reminded Members that he had also raised the question of penalties and the relations to be established between the authorities in the various countries.

Sir Malcolm DELEIVINGNE (British Empire) observed that the Sub-Committee had asked the Drafting Committee to submit a general clause on penalties.

Mr. NEVILLE (United States) thought it would be desirable to pass a recommendation on the subject.

The CHAIRMAN agreed. The recommendation should be a general one, as the particular application of the penalties was a matter for each State to decide.

M. SUGIMURA (Japan) stated that he had no objection to the adoption of a recommendation. A question such as this was one for national legislation and could only be dealt with by means of a recommendation.

Sir Malcolm DELEIVINGNE (British Empire) stated that at the next meeting he proposed to submit a draft addition to the report on the question of the advisability of including in the Convention a general clause on penalties.

The next meeting was fixed for the following morning, Wednesday, at 10.30 a.m.

The meeting rose at 4.55 p.m.

Translation

O.D.C./S.C.E/P.V.5.

LEAGUE OF NATIONS
SECOND OPIUM CONFERENCE.

Sub-Committee "E"

Fifth Meeting

held on Wednesday, January 28th, 1925, at 10.30 a.m.

M. BOURGOIS (France) in the Chair.

There were present: All the members of the Sub-Committee.

Secretary: MME RACHEL CRODY.

REPORT OF SUB-COMMITTEE "E". (Continuation of the discussion).

Air Traffic.

Sir Malcolm DEELVINGNE (British Empire), Rapporteur, informed the Committee that he had conferred with the delegates of Japan, the Netherlands and Switzerland, and it had been agreed that the following passage relating to Article X should be inserted in the report.

"The Sub-Committee has also had to consider the question of transport by air.

Where the aircraft is permitted, by international agreement, to fly over the territory of an intervening country without landing it would be impossible as well as unnecessary, to apply the stipulations of Article X.

In cases where the aircraft is required by the law of the intervening country to land in its territory, or does in fact land in the territory, there will be no difficulty in applying the stipulations of Article X when the landing takes place at an authorised landing place at which the Customs officials or other authorised representatives of the State authorities are present.

On the other hand, if the landing is effected at some place which is not an authorised landing place, it may not be possible in all cases for the authorities of the intervening country to apply the stipulations of Article A.

The sub-Committee has accordingly inserted a provision in the foregoing sense to regulate the application of Article X to transport by air of the substances covered by the Convention."

The Rapporteur added that a passage would accordingly be inserted in Article A to the effect that where the transport was being effected by air, the government of the intervening country should apply the provisions of the Convention so far as the circumstances permitted.

M. SUGIMURA (Japan), agreed with the Rapporteur, and considered the wording sufficiently elastic to take account of possible future developments: aviation was making rapid progress, and it might be possible for measures, which had ^{not} hitherto ~~not~~ been applied, to be introduced in the more or less distant future.

M. PEQUIGNOT (Switzerland) also supported the conclusions of the Rapporteur. He added that in Switzerland, under the Federal domestic legislation the local police authorities had to be called in in case of voluntary or involuntary landings at places other than the authorised landing places.

Sir Malcolm DEBBINGTON (British Empire), Rapporteur, proposed that, in order to give effect to the conclusions which they had adopted in regard to transport by air, they should add the following paragraph to Article X.

"In cases where the transport is being effected by air, the provisions of this Article shall not be applicable if the aircraft passes over the territory of the third country without landing. If the aircraft lands in the territory of the said country, the provisions of this article shall be applied so far as the circumstances permit."

M. van NESTUM (Netherlands) asked whether it was to be obligatory for Customs Officials to be always in attendance at authorised landing-grounds?

Sir Malcolm DELEVINCE (British Empire) thought that such an arrangement was unavoidable.

Mr. MIVILLE (United States) observed that the question under discussion had only an academic interest for the United States, seeing that their neighbours - Canada and Mexico - were situated at an immense distance apart. Nevertheless he felt compelled to make a reservation in the same sense as the remark of the Netherlands' delegate.

The passage regarding transport by air was adopted,
subject to the reservations of the Netherlands and United States Delegations.

Import Certificates.

M. ASCHMANN (Germany), moved that the draft certificate which was recommended two years ago by the Advisory Committee should be annexed to the Convention, together with a recommendation that it should be taken into use by the States which adhered to the Convention.

Moreover, as experience had shown, it sometimes happened that Customs officials could not understand a certificate worded in a foreign language, and it should therefore be laid down that certificates must be worded (1) in the language of the exporting country and (2) in one of the four principal languages, i.e. in German, English, French or Spanish.

The speaker merely offered this suggestion, but did not wish for the time being to submit any formal amendment.

M. SUGIMURA (Japan) questioned whether it would be possible to insist upon certificates being drawn up in any particular language. In practice, certificates were so drafted as to be understood both by the authorities of the exporting country and by those of the importing country. It was a matter of common-sense, and the countries concerned should be allowed to act as they themselves thought best. Moreover, when dealing with conventions, they should avoid entering into minute details.

M. ASCHMANN (Germany) replied that the certificate might be drafted in the language of the exporting country and in another language with which the importing authorities might be assumed to be familiar.

The CHAIRMAN suggested that they should follow some precedent, such as the decisions of the Transit Conference or of the Conference on Customs Formalities.

Mr. NEVILLE (United States) understood the German proposal to be that a specimen certificate should be

attached to the Convention as a guide for the drafting of certificates, while the actual wording of the certificate would be left to the individual Governments themselves.

PRINCE ARFA-ED-DOWLEH (Persia) agreed with the Japanese delegate. It had been shown by practical experience that, as was only natural, certificates were always so drafted as to be understood by the authorities of both countries.

M. van WETTUM (Netherlands) thought that the certificate to be attached to the Convention should be merely regarded as a model and that they could not insist upon its adoption by the different States. They would also have to consider the wording of the specimen to be recommended.

The CHAIRMAN invited the Sub-Committee to give its opinion on the first question, namely, whether they were in favour of attaching a specimen certificate to the Convention as a guide to the States in drawing up import certificates.

The Sub-Committee decided in the affirmative.

The CHAIRMAN invited the Sub-Committee to take a decision on the second question, namely, in what language the certificate should be drafted. He asked the German delegate whether he wished to press his proposal.

M. ASCHMANN (Germany) did not wish to do so if the Sub-Committee took an opposite view. He was afraid, however, that a certificate would be merely an absurdity if it were drafted in a language which the Customs officials could not understand.

M. SZE (China) agreed with the Japanese delegate's view

that countries should as far as possible be left to act as they thought best. In many cases a single language was sufficient, e.g. in traffic between England and the United States or even between China and the United States or England.

M. MILITCHEVITCH (Serb-Croat-Slovene Kingdom) proposed that each country should issue two specimen certificates, one in its own language and in French and the other in its own language and in English, as French and English were the most widely known languages.

The CHAIRMAN was afraid that this proposal, if adopted, might create an awkward precedent.

M. PEQUIGNOZ (Switzerland) thought that the Subcommittee might take a decision based on the Convention on Customs Formalities, Article 11, paragraph 7, regarding certificates of origin. He read this paragraph.

PRINCE ARFA-ED-DOWLEH (Persia) pointed out that they could not insist upon the adoption of a language, such as French, German or English for certificates which, for example, only affected Persia and Afghanistan. The country concerned should therefore be allowed to draft its certificate in whatever language it thought best.

M. van WETTUM (Netherlands) did not see any reason for following a precedent such as the Convention on Customs Formalities. It was obviously in a country's own interest to have its certificates clearly worded.

Sir Malcolm DELEIVINGNE (British Empire) Rapporteur, stated that so far as Great Britain was concerned no difficulty had been experienced in actual practice. If it happened that a certificate was drafted in a language of which the customs authorities were ignorant, they would have no difficulty in having it translated. If no member of the Sub-Committee was aware of such difficulties having actually arisen, the various States should be left complete liberty in the matter.

The CHAIRMAN proposed to close the discussion on the question. He understood that the sub-Committee thought it best not to enter into unnecessary details. As regards the language in which the certificates were to be drawn up, this should be left to the discretion of the States concerned.

He invited the Sub-Committee to give an opinion on the third question - the wording of the specimen certificate to be attached to the Convention - and proposed that the model recommended by the League of Nations should be used as a basis.

Mr. NEVILLE (United States) proposed that this model should be taken as it was and attached to the Convention.

The CHAIRMAN pointed out that the Conference could only recommend the adoption of the model to be annexed.

M. ASCHMANN (Germany) wondered whether it would not be advisable to recommend the adoption of a model export certificate as well as a model import certificate.

Sir Malcolm DELEIVINGNE (British Empire) Rapporteur, and the CHAIRMAN replied that they could only deal with

import certificates, as the question of export certificates was one for domestic jurisdiction in each State.

M. SUGIMURA (Japan) stated that he agreed in principle to the recommendation of the model proposed by the League of Nations. There were, however, important facts to be taken into consideration, as for example the different characters in which the various languages were written.

The Sub-Committee decided to instruct a small Sub-Committee consisting of Sir Malcolm Delevingne, Mr. Neville, M. Sugimura and M. van Nottum, to consider the wording of the model certificate to be attached to the Convention, taking as a basis the certificate recommended by the League of Nations, and to submit to the Sub-Committee at its next meeting a draft certificate which would be annexed to the report.

Sir Malcolm DELEVINGNE (British Empire) Rapporteur, proposed to make the following addition to the report, concerning import certificates:-

A model form of import certificate has been recommended by the League of Nations for adoption by the Governments which accept the system. The Sub-Committee considers that it would be desirable that this form should be followed as closely as possible by all signatory States and recommends that it should be included in an annex to the new Convention as a model recommended for adoption by the signatory States.

This text was adopted.

Settlement of Disputes.

Sir Malcolm DELEVINGNE (British Empire) Rapporteur, reminded Members that at the previous meeting the question had been brought up of the settlement of disputes which might arise as to whether the provisions of the Convention

were being properly applied by any given State. It had been suggested that the Permanent Court might act as a court of appeal, but it was thought that the Sub-Committee, before expressing an opinion, ought perhaps to consider the procedure already adopted in other Conventions, for example in transit matters.

M. van WETTUM (Netherlands) pointed out that Article 24 of the Hague Convention dealt with the question of disputes.

The CHAIRMAN, after having had Article 22 of the statute of 1923 on the International Régime of Maritime Ports read out, stated that it was essential to provide for some court other than the Permanent Court, as reference to the latter involved many formalities, and it could not be asked to settle minor disputes. The Permanent Court would, however, remain the final court of appeal.

M. SUGIMURA (Japan) reminded Members that this point had been much debated at the two Transit Conferences and in the Advisory Committee on Communications and Transit. He wished to submit two observations:

1) The question of the composition of the organisation to be instituted as a court of first instance presented serious difficulties.

2) The fact that the United States were taking part in the work of the Conference must be taken into account.

In view of the above, it might perhaps be desirable not to discuss the question at that stage.

The CHAIRMAN agreed with the Japanese Delegate as to the difficulties presented by the question. It might perhaps be referred to a Sub-Committee for examination. They might nevertheless discuss the matter with advantage there and then.

In reply to a remark by the Netherlands Delegate, he pointed out that the paragraph of Article 24 referred to stated that the Netherlands Government could invite the Contracting Powers to appoint delegates to meet at the Hague to settle disputes which might arise, "if these questions can not be settled by other means". There was therefore the possibility of other means of settling disputes.

M. van WETTING (Netherlands) replied that the means were not specified in the Convention, and that they might take the form of private arrangements, arbitration, &c.

Mr. NEVILLE (United States), like the Chairman, thought that it would be wise to provide a clause for the settlement of disputes. He enquired whether any actual cases of disputes had arisen as yet.

The CHAIRMAN replied in the negative. He asked whether the Sub-Committee wished to leave the Plenary Conference to give an opinion on the matter or whether it desired to refer it immediately to a Sub-Committee.

M. SUGIURA (Japan) thought ~~that~~ it better to confine the work of Sub-Committee E to the task entrusted to it. The question under consideration might also be of interest to the other Sub-Committees. It would be better, therefore, to leave the Plenary Conference to decide this point and to study the question with reference to precedents. He proposed that the Chairman of the Sub-Committee or the Rapporteur should explain to the Plenary Conference how important the question was.

The CHAIRMAN, in order to bring the discussion

to a close stated that he would lay the matter before the President of the Conference, who could refer it to the Committee of Business.

Penalties. Exchange of Information.

Sir Malcolm DELEVINGNE (British Empire) Rapporteur, referred to the points arising out of these ^{two} questions and proposed the addition of the following passage to the Report: -

"The Sub-Committee has also had to consider the question of transport by air.

Where the aircraft is permitted, by international agreement, to fly over the territory of an intervening country without landing it would be impossible, as well as unnecessary, to apply the stipulations of Article X.

In cases where the aircraft is required by the law of the intervening country to land in its territory, or does in fact land in the territory, there will be no difficulty in applying the stipulations of Article X when the landing takes place at an authorised landing place at which the Customs officials or other authorised representatives of the State authorities are present.

On the other hand, if the landing is effected at some place which is not an authorised landing place, it may not be possible in all cases for the authorities of the intervening country to apply the stipulations of Article X.

The Sub-Committee has accordingly inserted a provision in the foregoing sense to regulate the application of Article X to transport by air of the substances covered by the Convention."

Mr. NEVILLE (United States) thought that it would be possible to recommend the adoption of uniform measures in regard to the disposal of goods confiscated (destruction, utilisation or sale).

Dr. SZE (China) stated that in China such goods were destroyed. He thought, moreover, that the whole purpose of the system - the establishment of the Central Board and the system of import and export certificates - would be defeated, if opium which had been confiscated could be utilised. He suggested that the Conference might appoint a Committee of jurists to examine the question.

Dr. GOTUZZO (Brazil) stated that in Brazil, according to law, all drugs confiscated must be destroyed.

Sir Malcolm DELEIVINGNE (British Empire) Rapporteur, thought that it would be difficult to adopt uniform measures in regard to such goods. In Great Britain the drugs were distributed to the hospitals or sold to the authorised trade. Systematic destruction of goods confiscated would simply serve the interests of the manufacturers; on the other hand, if they were sold to the lawful trade, it would tend to diminish the requirements of that trade. The British Delegate thought that only the Government concerned could decide on the measures to be taken.

The CHAIRMAN agreed with the British Delegate's remarks. Confiscation was sufficient punishment for smugglers and the destruction of the goods served no further purpose.

As regards China, there was no doubt that the destruction of the drugs in question had had a beneficial moral effect. Moreover, as the trade in and use of opium were prohibited in China, the Chinese Government could not act otherwise.

M. SUGIMURA (Japan) declared that the discussion had brought out the following two points:

- (1) Statistics would be compiled and a report drawn up by the Central Board concerning all drugs confiscated;
- (2) The Governments would be free to deal as they thought fit with goods confiscated.

The speaker thought that it might be advisable, notwithstanding, to deal more fully with the second point.

The CHAIRMAN was of opinion that general statistics should be compiled of goods confiscated, but that nothing more could be demanded.

MR. NEVILLE (United States) explained that all he suggested was that when forwarding statistics, the Governments should state, how they had disposed of the goods confiscated and that they should submit a report on the matter to the Central Board.

The CHAIRMAN pointed out that this procedure was already implied in the Article which had been drafted.

M. SUGIMURA (Japan) declared that if, in the opinion of Sub Committee "A", this procedure was already implied in Article #, he would be quite satisfied.

The CHAIRMAN agreed that the question was one for Sub-Committee "A". The members of Sub-Committee "E" who also belonged to Sub-Committee "A", might draw the attention of their colleagues to this point.

M. V. N. WETTUM (Netherlands) stated that according to what had been said the annual report must state what amounts had been confiscated and how they had been disposed of.

The addition to the report proposed by the British delegate was adopted.

Postal Consignments.

Sir Malcolm DELEVINGNE (British Empire) Rapporteur, proposed the deletion in the first part of Article X of the reference to international postal conventions and the addition at the end of this Article of the following paragraph:

"the provisions of this Article shall not apply to transport of the substances by post."

Mr. NEVILLE (United States) pointed out that every country would still have the right to prevent this means of transport if its postal regulations prohibited it.

Sir Malcolm DELEVINGNE (British Empire), Rapporteur, agreed with this view.

The addition to Article X was adopted.

M. SUGIMURA (Japan) stated that the Japanese Delegation attached the greatest importance to the drafting of the text of the Convention. As regards the British Delegate's report, he did not propose to dwell upon certain points which still appeared to him to require elucidation, but moved the adoption of the report as it stood.

Mr. NEVILLE (United States) pointed out that the report and the annex went together.

M. Van ETTUM (Netherlands) thought that it would be necessary to hold another meeting for the final adoption of the whole report.

After discussion on the matter, the Sub-Committee decided to meet again the following morning for the purpose of the final adoption of the report.

The meeting rose at 12.30 p.m.

LEAGUE OF NATIONS

O.D.C./S.C.E./P.V.6.

SECOND OPIUM CONFERENCE.

Sub-Committee E.

Sixth meeting, held on Thursday, January 29th, 1925,
at 11 a.m.

M. BOURGOIS (France) in the Chair.

Present: All the Members of the Sub-Committee.

Secretary: Dame Rachel Crowdy.

ADOPTION OF THE SUB-COMMITTEE'S REPORT.

The CHAIRMAN submitted to the Members the final text of the Sub-Committee's report (O.D.C./S.C.E./5).

M. MILITCHEVITCH (Serb-Croat-Slovene State) stated that the commercial treaties and agreements concluded by his country since the war already contained clauses relating to air traffic. It was possible that those clauses might be at variance with the provisions recommended by Sub-Committee E. It might perhaps be advisable to add to the text adopted the previous day a clause to the effect that the provisions in question would apply in so far as they were not at variance with the existing provisions contained in the commercial treaties concluded by the various countries.

Sir Malcolm DELEIVINGNE (British Empire) Rapporteur, stated in reply that the text laid down that "the provisions of this Article shall be applied so far as the circumstances permit".

The CHAIRMAN pointed out that in that case the word

"circumstances" must be interpreted in the sense of "agreements", which might involve some discussion.

Sir Malcolm DELLEVINGNE (British Empire) Rapporteur, directed M. Militchevitch's attention to the opening words of the Article in question, which were as follows:

"Subject to the provisions of any international agreement or treaty, etc."

M. MILITCHEVITCH (Serb-Croat-Slovene State) declared that if this text covered his objection he was prepared to accept it.

On the proposal of M. van WETTUM (Netherlands) the word "importation" in paragraph 7 of the French text of Article 13 was replaced by the word "introduction".

The report was unanimously adopted.

The CHAIRMAN, in the name of the Members, thanked the Rapporteur for his clear and careful report. They were dealing with a very important and complex question, and the whole of that part of the Convention would be due, very largely, to the personal efforts of the Rapporteur.

Sir Malcolm DELLEVINGNE (British Empire) Rapporteur, thanked the Chairman and Members of the Sub-Committee for their kind remarks.

CONSULTATION WITH THE ECONOMIC SECTION AND TRANSIT SECTION OF THE SECRETARIAT.

M. SUGIMURA (Japan) said that the Japanese Delegation, after examining the text recommended by the Sub-Committee, was of opinion that this text contained nothing at variance with the other conventions concluded at Geneva in the matter of Customs formalities and transit. But before the scheme was finally adopted they should take all precautions. It would be expedient to

consult the competent sections of the Secretariat - namely, the Economic Section and the Transit Section - as to whether the text in question contained any legal points at variance with existing conventions. The opinions of these organisations would be communicated to the Drafting Committee, which would take note of them when drafting the final text.

The CHAIRMAN asked the Japanese Delegate whether in his opinion the report might be regarded as adopted by the Sub-Committee, subject to any modifications suggested by the two Sections to be consulted in the matter.

M. SUGIMURA (Japan) agreed that the report might be regarded as finally adopted by the Sub-Committee, and that any suggestions made by the two Sections should be communicated by the Chairman direct to the Drafting Committee.

The CHAIRMAN said he was inclined to think that it might be expedient for such suggestions to be submitted to the Sub-Committee if they referred to important points.

Sir Malcolm DEBEVINGNE (British Empire) Rapporteur, recommended the immediate and final adoption of the report in order that it might be submitted to the Co-ordination Committee as soon as possible.

If the two Sections of the Secretariat subsequently put forward any important suggestions, these could be forwarded to the Co-ordination Committee.

The CHAIRMAN, in summing up the discussion, declared that the report was finally adopted by the Sub-Committee and would be forwarded to the Co-ordination Committee. If any observations were submitted to him/^{by} either Section of the Secretariat, he would forward them to the Co-ordination Committee. He would not call another meeting of Sub-Committee E

unless the Co-ordination Committee had any important matter to bring to its notice.

STATEMENT BY THE PERSIAN DELEGATION

Prince ARFA-ED-DOWLEH (Persia) read the following statement and requested that it might be included in the Minutes:

"The Persian Delegation has participated in the proceedings of the Committee and Sub-Committees subject to the fullest reservations. Our adhesion to the resolutions adopted by them, and even to the resolution adopted by the Conference, is contingent on the very legitimate claims set out in our memorandum, the contents of which are already known to the Members of the Conference."

The CHAIRMAN took due note of the Persian Delegate's statement. The point at issue was not one for the Sub-Committee, but for the Plenary Conference.

STATEMENT BY THE SWISS DELEGATION

M. PEQUIGNOT (Switzerland) read the following statement:

"The Swiss Government adheres unhesitatingly to the principle of the proposals which Sir Malcolm Delevingne sets out in his admirable report. As I stated at our meeting on December 15th, 1924, my country, which is deeply attached to the ideal of international solidarity and is determined to co-operate in the campaign against the improper use of drugs, is prepared loyally to enforce all measures of control directed towards this end, provided they are reasonable, practicable and just. The proposals advocated by Sub-Committee E

appear to me to fulfil these requirements and we therefore give them our whole-hearted support, without any reservations."

"Moreover, the Swiss Law on Drugs, - of which I gave a summary on December 15th and which, in many respects, goes much further than the Hague Convention, - has fortunately issued victorious from the referendum; it has been in force since January 6th of this year. This law, which my country, in accordance with its tradition, will enforce as strictly as its other laws, will permit of the application by Switzerland of the provisions which we have drawn up.

"May I, in conclusion, express the hope that the other Sub-Committees will arrive at results acceptable to all parties, so that our work on Sub-Committee E may not be in vain. It would be a thousand pities if the valuable measures drawn up by Sub-Committee E could not be put into effect owing to failure to arrive at an agreement on other questions which are perhaps of less importance than the provisions designed to strengthen the control over drug manufacture and the drug traffic. Whatever may be said to the contrary, close and systematic control is the best means of preventing illicit operations. In the matter of control, you may count upon Switzerland's wholehearted and loyal co-operation."

The CHAIRMAN thanked the Swiss delegate for his statement. All the members of the Sub-Committee shared his views as to the importance of the Sub-Committee's work and hoped that their own Governments and all the Governments represented at the

Conference would agree to the proposals put forward.

M. SUGIMURA (Japan) desired on behalf of his colleagues to congratulate the Chairman on the able manner in which he had presided over the work of the sub-Committee.

The CHAIRMAN thanked the Japanese delegate. He added that Sub-Committee E's work should not be regarded as at an end. They might still have to discuss a number of questions if the other Sub-Committees were not in agreement with their views.

The meeting rose at 12.5. p.m.

LEAGUE OF NATIONS.

O.D.C./S.C.E./P.V.7.

SECOND OPIUM CONFERENCE.

Sub-Committee E.

Seventh Meeting held at 5.30 p.m. on February 6th. 1925.

Prince Arfa ed Dowleh in the chair.

The following members were present :

M. Pilya (Serb Croat Slovene State)
M. Kircher (France)
Dr. Anselmino (Germany)
M. Sugimura (Japan)
M. Ferreira (Portugal)
M. Fabris (Italy)
M. Pequignot (Switzerland)
Mr. Perrins (Great Britain)

Prince Arfa ed DOWLEH (Persia) took the chair in the absence of M. Bourgois, who was indisposed.

LETTERS FROM THE DIRECTORS OF THE COMMUNICATIONS AND TRANSIT AND OF THE ECONOMIC SECTIONS OF THE SECRETARIAT.

The CHAIRMAN reminded the Committee that questions had been addressed to the Director of the Communications and Transit Section and to the Director of the Economic Section of the Secretariat of the League of Nations, inquiring whether any provisions contained in the Articles drafted by the Sub-Committee were incompatible with the International Transit Convention and with the International Convention on Customs Formalities.

The Directors of the Sections concerned had replied to the question put by the Committee in letters dated February 5th. 1925.

The Committee noted the letters, and decided that they should be forwarded to the drafting committee, and circulated in the usual way.

The Committee rose at 5.40 p.m.

LEAGUE OF NATIONS

O.D.C/S.C.E/1.

SECOND OPIUM CONFERENCE

SUB-COMMITTEE E.

Statement by Dr. Stade, member of the Danzig
Delegation in Sub-Committee "E".

Sir,

I beg to make a statement concerning the situation of the trade in narcotics in the Free City of Danzig which I would request you to be good enough to submit to the members of Sub-Committee "E".

In the "Matin" of November 29th there appeared an article concerning the arrest of a Latvian manufacturer in Riga who was accused of having introduced into France, under the protection of a bogus diplomatic bag, large quantities of German cocaine. In this article Danzig is referred to as a centre of the illicit traffic in German cocaine.

As the article in question may, if not refuted, harm the international reputation of the Free City of Danzig, I feel bound to give some information concerning the situation as regards the traffic in narcotics in the Free City of Danzig.

I do not know from what source the information given by the author of this article was derived, but I do not see how illicit traffic could be possible, at any rate during the last eighteen months.

The Free City of Danzig has been a signatory of the Hague Convention of 1912 since May 2nd 1923, and the Senate of the Free City is undoubtedly most anxious to collaborate loyally in this important international work.

The Chairman of Sub-Committee "E"
of the Second International Opium Conference.

It is possible that immediately after the constitution of the Free City when the newly established administration was not fully organised, a certain amount of illicit traffic developed. After the application of our very definite and drastic laws of June 20th, 1923, and October 9th, 1924, against the abusive use of narcotics the control exercised over the traffic in narcotics - a control which extends to the Free Port - is so strict that it is impossible to import or export narcotics without a special licence issued by the Health Administration of the Free City of Danzig. Naturally in Danzig as elsewhere it is not possible entirely to prevent all traffic carried on under cover of fraud. I repeat that in the Free City of Danzig the legislation against the abusive use of narcotics extends to the Free Port and the supervision of importation and exportation exercised by the Danzig Customs officials is very strict.

I must therefore on behalf of the Government of the Free City of Danzig protest energetically against the suggestion that Danzig is a centre of illicit traffic in narcotics, until proof is forthcoming of the statements on which such an assertion is based.

(Signed) DR. STADE.

Member of the Danzig
Delegation on Sub-Committee

Sir,

I have the honour to inform you that in accordance with instructions received from the Senate of the Free City of Danzig, I am obliged to return to Danzig immediately as very important and urgent work necessitates my presence with the Health Administration of the Free City of Danzig.

I deeply regret that I shall not be able to collaborate with my colleagues in bringing the extremely interesting questions before Sub-Committee "E" to a satisfactory conclusion, and I beg you to be good enough to transmit my kindest regards to the members of Sub-Committee "E".

I have, etc.

(signed) Dr Stade

Member of the Danzig Delegation
on Sub-Committee E.

The Chairman of
Sub-Committee "E"
of the Second International
Opium Conference.

SUB-COMMITTEE "E"

Draft Recommendations by Sub-Committee "E"

Measures submitted by the Advisory Committee.

PART II

(II) The following Article (numbered 2bis) shall be added to the Convention:-

"Each Contracting Power shall require that a separate import authorisation, stating the quantity to be imported and the name and address of the importer and the name and address of the exporter, must be obtained for each importation of raw opium or coca leaves. The import authorisation shall specify the period within which the importation shall be effected and may allow the importation in more than one consignment."

(III) Article 3 shall be replaced by the following Article:-

1. "Each Contracting Power shall require that a separate export authorisation must be obtained for each exportation of raw opium or coca leaves, stating the quantity to be exported and the name and address of the exporter and the name and address of the importer."
2. "The Contracting Power, before issuing such export authorisation shall require an import certificate, issued by the Government of the importing country, and certifying that the importation is approved, to be produced by the person applying for the export authorisation."
3. "The export authorisation shall specify the period within which the exportation must be effected."

"A copy of the export authorisation shall accompany the consignment and the Government issuing the export authorisation shall send a copy to the Government of the importing country."

"The Government of the importing country, when the importation has been effected, or when the period fixed for the importation has expired, shall return the export authorisation with an endorsement to that effect to the Government of the exporting country. The endorsement shall specify the amount actually received."

"If a less quantity than that specified in the export authorisation is actually exported, the quantity actually exported shall be noted on the export authorisation and on any official copy thereof."

"In the case of an application to export a consignment to any country for the purpose of being placed in a bonded warehouse in that country, the production of a special certificate from the Government of that country, certifying that it has approved the introduction of the consignment for the said purpose, may be admitted by the Government of the exporting country in place of the import certificate provided for above. In such a case the export authorisation shall specify that the consignment is exported for the purpose of being placed in a bonded warehouse."

VII. Article 12 shall be replaced by the following article:-

"Each Contracting Power shall require that a separate import authorisation, stating the quantity to be imported, the name and address of the importer and the name and address of the exporter must be obtained for each importation of any of the substances to which Chapter III applies. The authorisation shall specify the period within which the importation shall be effected and may allow the importation in more than one consignment."

VIII. Article 13 shall be replaced by the following article:-

1. "Each Contracting Power shall require that a separate export authorisation must be obtained for each exportation of any of the substances to which Chapter III applies, stating the quantity to be exported, and the name and address of the exporter and the name and address of the importer."
2. "The Contracting Power, before issuing such export authorisation, shall require an import certificate issued by the Government of the importing country and certifying that the importation is approved, to be produced by the person applying for the export authorisation."
3. "The export authorisation shall specify the period within which the exportation must be effected."

- (4) "A copy of the export authorisation shall accompany the consignment, and the Government issuing the export authorisation shall send a copy to the Government of the importing country."
- (5) "The Government of the importing country, when the importation has been effected, or when the period fixed for the importation has expired, shall return the export authorisation, with an endorsement to that effect, to the Government of the exporting country. The endorsement shall specify the amount actually received."
- (6) "If a less quantity than that specified in the export authorisation is actually exported, the quantity actually exported shall be noted on the export authorisation and on any official copy thereof."
- (7) "In the case of an application to export a consignment to any country for the purpose of being placed in a bonded warehouse in that country, the production of a special certificate from the Government of that country, certifying that it has approved the introduction of the consignment for the said purpose, may be admitted by the Government of the exporting country in place of the import certificate provided for above. In such a case the export authorisation shall specify that the consignment is exported for the purpose of being placed in a bonded warehouse."

- (E) For the purpose of ensuring the full application and enforcement of the provisions of the Hague Convention, as amended by this agreement, in free ports and free zones, the Governments undertake to apply in free ports and free zones situated within their territories the same laws and regulations, and to exercise the same supervision and control in respect of the substances covered by the Convention, as amended by this agreement as in other parts of their territories.
- (F) Subject to the provisions of any international Postal Convention or other international agreement or treaty limiting the control which may be exercised by any of the Contracting Powers over the substances covered by the Convention as amended by this agreement when in direct transit:
- (1) "No consignment of any of the substances covered by this Convention as amended by this Agreement which is exported from ~~the~~ one country to another country, shall be permitted to pass through the territory of a third country, whether or not it is removed from the ship or conveyance in which it is being conveyed, unless the copy of the export authorisation (or the diversion certificate, if such a certificate has been issued in pursuance of the following paragraph), which accompanies the consignment, is produced to the competent authorities of that country."

2. "The competent authorities of any country through whose territory a consignment of any of the substances covered by the Convention as amended by this Agreement, is permitted to pass, shall take all due measures to prevent the diversion of the consignment to a destination other than that named in the copy of the export authorisation or the diversion certificate which accompanies it, unless the Government of that country has authorised that diversion by means of a special diversion certificate. A diversion certificate shall only be issued after the receipt of an import certificate in accordance with Article 3 or Article 13 from the Government of the country to which it is proposed to divert the consignment and shall contain the same particulars as are required by Article 3 or Article 13 to be stated in an export authorisation, together with the name of the country from which the consignment was originally exported; and all the provisions of Article 3 or Article 13 which are applicable to an export authorisation shall be applicable equally to the diversion certificate. Further, the Government of the country authorising the diversion of the consignment shall detain the copy of the original export authorisation or diversion certificate which accompanied the consignment on arrival in its

territory and shall return it to the Government which issued it, at the same time notifying the name of the country to which the diversion has been authorised."

- (II) A consignment of any of the substances covered by the Convention, as amended by this agreement, which is landed in any country and placed in a bonded warehouse, shall not be allowed by the Government of that country to be withdrawn from the bonded warehouse unless an import certificate, issued by the Government of the country of destination and certifying that the importation is approved, is produced to the authorities having jurisdiction over the bonded warehouse. A special authorisation shall be issued by the Government in respect of each consignment so withdrawn and shall take the place of the export authorisation for the purpose of the preceding provisions of this agreement.
- (III) Any consignment of the substances covered by the Convention as amended by this Agreement, while passing in transit through the territories of a country or whilst being stored there in a bonded warehouse, may not be subjected to any process which would alter the nature of the substances in question, or, without the permission of the competent authorities, the packing.

Measures submitted by the Advisory Committee

PART III

Accepted as a Recommendation.

2. That each Government should forbid the conveyance in any ship sailing under its flag of any consignment of the substances covered by the Convention as amended by this Agreement:-

1. Unless an export authorisation has been issued in respect of such consignment in accordance with the provisions of the Convention so amended and the consignment is accompanied by an official copy of such authorisation, or of any diversion certificate which may be issued.

ii. To any destination other than the destination mentioned in the export authorisation or diversion certificate.

Article VI of the Advisory Committee's proposals

"In Article 10 the words "The Contracting Powers shall control" shall be substituted for "The Contracting Powers shall use their best endeavours to control or to cause to be controlled", and the words "The Contracting Parties shall adopt" shall be substituted for "The Contracting Powers shall use their best endeavours to adopt or cause to be adopted".

"The words "or shall make to the competent authorities an official declaration that they are so engaged" shall be omitted.

"The words "This rule shall not necessarily apply to medical prescriptions and to sales by duly authorised chemists" shall be omitted."

and Articles 10 and 11 of the proposals submitted by the United States of America

Article 10. "The Contracting Parties shall control all persons manufacturing, importing, selling, distributing or exporting morphine, cocaine or their respective salts or derivatives as well as the buildings in which these persons carry on such industry or trade.

With this object, the Contracting Parties shall

- a) Confine the manufacture of morphine, cocaine and their respective salts and derivatives to those establishments and premises alone which have been licensed for the purpose, or to obtain information respecting the establishments and premises in which these drugs are manufactured and keep a register of them;
- b) Require that all persons engaged in the manufacture, import, sale, distribution, or export of morphine, cocaine or their respective salts or derivatives shall obtain a license or permit to engage in these operations;
- c) Require that such persons shall enter in their books the quantities manufactured, imports, sales and all other distribution, and exports of morphine, cocaine and their respective salts and derivatives."

Article 11. "The Contracting Parties shall take measures to prohibit, as regards their internal trade, the delivery of morphine, cocaine and their respective salts and derivatives to any unauthorised persons."

are approved (subject to redaction of the wording of the Committee of Redaction) with the following exceptions:

- 1) No recommendation is made on the proposal to add the words "and derivatives" which had been referred to Sub-Committee "F",
- 2) Instead of the omission of the words "This rule shall

not necessarily apply etc" at the end of Article 10 of the Hague Convention, it is proposed that these words should be replaced by the following:-

"This requirement shall not necessarily apply either to supplies of medical practitioners to their patients or to sales by duly authorised chemists on medical prescriptions, if the medical prescriptions are duly filed and preserved by the medical practitioner or chemist."

It is not possible to settle the text of Article 20 as proposed to be amended by the United States of America, until it is known what decisions have been taken by the Conference in regard to the production of raw opium or coca leaves.

A recommendation to be submitted that Part III (L) of the proposals of the Opium Advisory Committee and Article 20(f) of the proposals submitted by the United States of America be replaced by Article 9 of the Conference First Opium Agreement. The delegate of the United States of America makes a reservation in favour of the original proposal.

The Norwegian proposals, Part II, paragraph 2, (Document O.D.C.20)

"The Norwegian Government cannot accede to the proposal for the deletion of the last sentence in Article 10 of the Hague Convention, if that is to be taken to mean that chemists would have to enter in their books, together with the name of the purchaser, each consignment of opium etc., or of drugs containing the foregoing substances, and to notify the authorities of the facts.

Such a provision would be too drastic and is not essential for the purposes of control. It would, moreover, appear to be impracticable. While dealing with this subject, we desire to state that pharmacies in Norway are regularly inspected by the authorities and that the license system at present governing the opening of pharmacies in that country is, from the standpoint of control, equivalent to a State Monopoly."

are covered by the amendment to Article 10 of the Hague Convention proposed above.

The Austrian proposals (O.D.C.20(a))

"The Federal Government is unable to agree to the proposal contained in Nos. III and VIII of Section IX to the effect that when a copy of the export license does not accompany the consignment the Government issuing the export license shall send a copy to the Government of the importing country. The Federal Government thinks that a measure of this kind would merely give excessive work to the authorities concerned without appreciably contributing to the suppression of illicit traffic. As the Federal Government has already ventured to point out when submitting its report for the year 1923, it is in principle prepared to issue licenses in quadruplicate. In its opinion it would be well to render this rule universal and to lay down that one of these copies should accompany each consignment. Should the Government of an exporting country so request, it might further be laid down that the copy of the export license accompanying the goods should be returned to the Government in question with an affidavit by the Government of the importing country to the effect that the importation has actually taken place."

"As regards the proposal contained in No. X, namely that in the case of a consignment of narcotics passing in transit through the territory of a third country without being removed from the ship or conveyance in which it is being conveyed, that a declaration should be made to the authorities of the country of transit of the contents of the consignment and the country for which it is destined, the Federal Government feels that it should point out that the authorities of the country through which the goods pass are not in a position to apply the provisions concerning the control in traffic in narcotics to goods transported in closed receptacles which are not removed from the means of transport -

which in other words remain during transit under Customs seal. The control of such consignments by the authorities of the countries through which they pass, would be going too far, and would not, moreover, produce any results unless part at least of some of the packages chosen at random, were to be examined. The authorities of a country of transit are not, however, entitled - unless they have serious suspicions concerning the contents - to open these packages. It should, moreover, be borne in mind that according to the Convention for the simplification of Customs Formalities, concluded on November 3rd, 1923, all excessive or useless formalities should be avoided. In the opinion of the Federal Government a copy of the export certificate accompanying the goods should be sufficient to warrant the consignment. "

are covered by the decisions taken on Part II of the Opium Advisory Committee's proposals.

The Egyptian proposals (O.D.C.44, paragraph 3) were withdrawn.

It is provisionally recommended that Article 4 of the Hague Opium Convention should be suppressed. Mr. Neville reserved the right to bring the matter up at a later date.

The extension of Article 2 of the Hague Convention to include coca leaves as suggested in the proposals of the Opium Advisory Committee and the United States of America, was accepted provisionally, note being taken of the fact the the Bolivian Delegate had not been consulted.

LEAGUE OF NATIONS.

O.D. C./S.C.E./3.

SECOND OPIUM CONFERENCE.

PROPOSAL BY THE GERMAN DELEGATION TO SUB-COMMITTEE E.
OF THE OPIUM CONFERENCE REGARDING AN ARTICLE OF THE
DRAFT CONVENTION CONTAINING THE PENAL MEASURES TO BE
TAKEN BY THE CONTRACTING STATES.

The Contracting Powers undertake to adopt measures for the punishment of any person, irrespective of nationality, who in a foreign country shall contravene the regulations regarding the manufacture, sale, use, importation and exportation of, or regarding the control of the production of and traffic in, the narcotics mentioned in the Opium Convention of January 23rd, 1912, provided, however, that these acts are also punishable according to the laws of the country where the offence was committed.

Geneva, December 16th, 1924.

LEAGUE OF NATIONS

O.D.C./S.C.E./4.

Geneva,

December 17th, 1924.

SECOND OPIUM CONFERENCE.

Provisional Report of Sub-Committee "E".

Sub-Committee "E" was charged by the Conference with the examination of a number of proposals for strengthening the provisions of the Hague Convention in regard to the national and international control over the substances to which that Convention applies. The most important of these proposals were those contained in Part II of the measures suggested by the Opium Advisory Committee of the League of Nations, and the corresponding provisions, which follow in the main the proposals of the Advisory Committee, submitted by the Delegation of the United States.

The Sub-Committee are glad to be able to report that they have arrived at a unanimous conclusion, subject only to one reservation, on the important matters which they have had to consider.

The proposals submitted to them referred in the main to the control to be exercised over the international traffic, and the Sub-Committee had the advantage of the assistance of expert advisers attached to several of the Delegations.

The general object of the proposals in Part II of the Advisory Committee's scheme is explained in the latter part of the explanatory note contained in Annex 2 of the Report of the work of the Sixth Session of that Committee (A.32.1924.XI).

It is there pointed out that "experience during the three years which have elapsed since the Convention came into force has shown that there are loopholes in the existing provisions by which persons engaged in illicit traffic can evade the control over the national and international trade"; and the proposals of the Advisory Committee's aim in particular at establishing a much closer control over the international movement of the substances to which the Convention applies. The principal provisions for the control of the international traffic in the existing Convention are contained in Articles III, IV, V (which relate to raw opium) and Articles X(b), XII, and XIII (which relate to the manufactured drugs). The object of these provisions is to confine to authorised persons the right to export and import the substances covered by the Convention, and to prevent the export of the substances from one country to any unauthorised persons in another country; but no adequate machinery is provided for securing this object effectively. The proposals of the Advisory Committee would expand these provisions and lay down in detail the methods by which the control of the international trade is to be carried out.

These proposals have been thoroughly examined by Sub-Committee "E" and have been adopted by them in the main. Certain modifications have been introduced, which relate chiefly to points of detail. A text of the provisions as proposed by the Sub-Committee for inclusion in the Convention to be adopted by the Conference is appended to this Report, and for the convenience of the Conference the modifications introduced by the Sub-Committee are indicated by the black lines.

Articles II and III lay down two principles which are essential to the effective control of the International traffic, the first of these is that a separate import authorisation or export authorisation from the Government shall be required in the case of each consignment imported or exported; This secures that every international transaction in the substances covered by the Convention comes under the consideration of the Government before it is carried out. The second is that an export authorisation shall only be issued by the Government of the exporting country on the production of a certificate from the Government of the importing country that the import into the latter country of the consignment proposed to be exported has been approved. The production of such a certificate is a guarantee to the Government of the exporting country that its exports are destined for persons duly authorised by their Government to receive the drugs, and for purposes which are legitimate. The manner in which the import certificate system operates has been fully explained in the memorandum circulated by the Secretary-General of the League on the advice of the Opium Advisory Committee, which will be found in C.I.15.1922. These two principles have already been adopted by many Governments. It is hoped that one result of the present Conference will be to secure their general adoption by all countries. Until ~~that~~ is done, the control over the international traffic will not be completely effective.

It is recognised that the requirement of an import certificate can be applied only in the case of exports to countries which are parties to the Convention or, at least, accept the import certificate system. The Government of an exporting country will not be compelled to require the production of an import

certificate in respect of exports to a country which is outside the Convention and does not agree to furnish such certificates. It is to be understood that in these cases the principle above mentioned will not apply, but at the same time a moral obligation will rest on the Government of the exporting country not to allow the export of the substances in excessive quantities to ^{countries} which decline to furnish import certificates and to co-operate in the system of international control, and which in some cases are known to be centres of the illicit traffic.

It will not perhaps be necessary to refer in detail to the minor modifications introduced by Sub-Committee "E" in the proposals of the Advisory Committee, but one or two points may be noted.

It will be noticed, on a comparison of Article II with Article III (iii) that while an import authorisation may allow a supply of the substances to be imported in more than one consignment, a similar latitude is not allowed in the case of exportation. The reason for this will be apparent on an examination of the proposals as a whole. In the case of an import it will not be possible for the importer to know beforehand whether the person in the other country from whom he is obtaining the supply will be able to send it in a single consignment or not, and as the import authorisation has to be issued before he can order the goods, provision must be made to allow the importation to be effected in more than one consignment. The case is different in regard to exports. The general scheme requires that a copy of the export authorisation must accompany the goods, and it would lead to great confusion if the export authorisation allowed the dispatch of the goods in more than one consignment and there was a difference between the amount specified in the export authorisation and the quantity of goods in the consignment. It is

proposed, therefore, that where the goods have to be sent in separate consignments, a separate export authorisation should be obtained in respect of each consignment.

This should lead to no difficulty in practice.

Article III (iv) and V will enable the authorities to follow up the export and provides a safeguard against its diversion to illicit purposes. In the first place, it is provided that a copy of the export authorisation must accompany the consignment. It is understood that the usual procedure would be, in the case of consignments sent by sea, that the copy should be handed to the Captain or other responsible officer of the ship, and in the case of goods sent overland by train, to the responsible railway official in charge of the goods, and so on.

In the second place it is required the Government issuing the export authorisation shall send a copy to the Government of the importing country, and that the latter Government shall return the copy of the Government of the importing country when the importation has been effected with a notification of the amount received. The Sub-Committee consider that the copy should be sent direct from the competent authorities in the one country to the competent authorities in the other, and not through the diplomatic channels.

Articles VII and VIII (relating to the manufactured drugs) correspond to Articles (II) and (III) (relating to raw opium). It is unnecessary therefore to say anything in regard to the provisions in Articles VII and VIII.

Special provisions are inserted in Articles (III) (7) (VIII) (7) and XI to adapt the system of control to the case of "bonded warehouses".

Article IX is a provision of great importance. Free Ports not being subject to the ordinary control of the customs authorities of the territory in which they are situated, the illicit traffickers have been able in the past to evade control by making use of the Free Ports.

Attention has been called by the Opium Advisory Committee to this means of evasion, and the question has been reported upon by the Transit Committee of the League (see Annex 7 to Minutes of the 4th Session of the Advisory Committee C.155.M.75.1923). In consequence of the attention so called, a number of Governments have already adopted and are enforcing, measures of control over imports and exports of the drugs in their Free Ports.

On the consideration of this Article the Italian representative pointed out that the Italian Government have prohibited entirely the use of the Free Ports in Italy for the import or export of the substances covered by the Convention. It is not suggested by the Sub-Committee that countries which have already more drastic provisions in force than those suggested in Article IX should weaken their provisions, and they recommend that the Drafting Committee, when settling the wording of this Article, should insert a provision to meet such cases.

Article X is a redraft of Article 7 (X) and (XI) of the Advisory Committee's proposals, which has been prepared by the expert advisers who have assisted the Committee. In the opinion of the Sub-Committee the redraft both simplifies and renders more effective the procedure for exercising control over consignments in transit whether there is a change of conveyance (e.g. transshipment) or not during transit. The drafting at present is somewhat lengthy, but this could be left to the Drafting Committee to improve.

Attention may specially be called to the opening lines of the Article, which are designed in particular to meet the case of goods in transit along international waterways. There are a number of cases in which, under Treaty, goods pass along international waterways without interference from the authorities of the countries through which the waterways pass. For instance, goods going by sea to Antwerp along the waters of the Scheldt are exempt from interference by the Dutch authorities. Other cases which may be mentioned are international canals such as the/
as the/

Suez Canal, and the great lakes of North America which are situated partly in the territories of the United States and partly in the territories of Canada.

The Sub-Committee have not been able to ascertain, in the time at their disposal, what is the position at present with regard to the transport of goods by air from one country to another over the territories of an intervening country, but if such transport is, or may hereafter be, permitted without the aircraft being required to land in the territory of the intervening country, the provision in the opening lines of Article X will be applicable.

A proposal was submitted to the Sub-Committee that if any person fails to produce any document as required by paragraph (i) of Article X, or diverts, or attempts to divert, without an authorisation as required by paragraph (ii) any consignment to a destination other than that named in the export authorisation or diversion certificate, he shall be guilty of an offence, and the consignment shall be liable to confiscation, whoever may be the owner of it. The Sub-Committee agree with this proposal, but they consider that any provisions as to penalties or confiscation should appear in an Article in the Convention applying generally to the provisions of the Convention, and that the drafting of such an Article should be referred to the Drafting Committee.

Article XII is new. Any interference with the drugs while in transit will make it easy for the illicit traffickers to evade control. Many cases have come to light in which the drugs had been abstracted from the packages while in transit and replaced by other goods.

Part III. Article 2. The Sub-Committee endorse this recommendation of the Advisory Committee and suggest that it might be appended to the Convention adopted by the Second Conference in

a protocol. The reasons for the recommendation are the following:-
A Ship of country "H" may be engaged in smuggling opium from country "B" to country "C", without touching at any port in country "A" and without therefore coming under the control of the authorities of country "A". A large amount of the illicit traffic in opium is carried on in this way. The Sub-Committee recognise that some Governments may find difficulty in applying such a provision, and will require to examine it carefully before they can adopt it. It is for this reason that they have not proposed that it should be inserted as a definite provision in the Convention itself.

The Sub-Committee also recognises that the provision will not be applicable if country "B" is not a party to the Convention and does not issue export authorisations. The Drafting Committee should be asked, in settling the terms of the recommendation, to provide for such cases.

In Article 7 (VI) the Advisory Committee recommend the omission, at the end of Article X of the Hague Convention, of the words "This rule shall not necessarily apply to medical prescriptions and to sales by duly authorised chemists". The effect of this proposal would have been to require that all sales on medical prescriptions and by duly authorised chemists should be registered. It was pointed out in the Sub-Committee that this would not fit in with the systems of control over such sales in certain countries, and it was unanimously agreed, in place of omitting the words altogether, to substitute for them the words "This requirement shall not necessarily apply either to supplies by medical practitioners to their patients or to sales by duly authorised chemists on medical prescriptions, if the medical prescriptions are duly filed and preserved by the medical practitioner or chemist".

As regards Article 20 in the United States draft, it was pointed out that it would not be possible to make the possession of

coca leaves illegal in countries, where the coca plant grows wild, and the Committee have, in view of this and of other objections, not felt able to make any recommendation at the present stage.

The Sub-Committee discussed at length the recommendations of the Advisory Committee in Part III (1), that each Government "should forbid any person within its jurisdiction from procuring or assisting the commission in any place outside its jurisdiction of any offence against the laws in force in such place" relating to the control, etc., of the drugs. The Sub-Committee entirely approve the principle of this proposal, but attention was called to the fact that there may be constitutional difficulties in the way of its acceptance by certain countries. The First Opium Conference, which had a similar proposal before it, and had to take account of the same difficulties, adopted a text as follows:-

The Contracting Powers will examine in the most favourable spirit the possibility of taking legislative measures to render punishable illegitimate transactions which are carried out in another country by a person residing within their territories.

The Sub-Committee felt that it would be difficult to recommend a different text for adoption by the Second Conference, and accordingly suggest that an Article on the same lines as Article 9 of the First Conference Agreement should be adopted by the Second Conference. The delegate of the United States made a reservation in favour of the adoption of the original proposal of the Advisory Committee, to which effect is given in Article 20 (F) of the United States Draft.

The Sub-Committee approve the proposal in Article 7 (i) of the Advisory Committee's proposals and Article 2 of the United States proposals that Article II of the Hague Convention should be extended to coca leaves.

A new proposal has been submitted to the Sub-Committee that Article IV of the Hague Convention, which provides that "every package containing raw opium intended for export shall be marked in such a way as to indicate its contents, provided that the consignment exceed five kilogrammes", should be suppressed. It has been found that marks indicating that a particular packet contains raw opium are a help to opium thieves, and are of no real value for the purpose of the control over the traffic. The proposed requirement that a copy of the export authorisation must in future accompany the goods will provide a much more effective safeguard. The Sub-Committee therefore approve the proposal and recommend its adoption by the Conference.

O.D.C./S.C.E./5.

LEAGUE OF NATIONS.

Geneva,

January 28th, 1925.

SECOND OPIUM CONFERENCE.

Report of Sub-Committee "E".

Sub-Committee "E" was charged by the Conference with the examination of a number of proposals for strengthening the provisions of the Opium Convention in regard to the national and international control over the substances to which that Convention applies. The most important of these proposals were those contained in Part II of the measures suggested by the Opium Advisory Committee of the League of Nations, and the corresponding provisions, which follow in the main the proposals of the Advisory Committee, submitted by the Delegation of the United States.

The Sub-Committee are glad to be able to report that they have arrived at a unanimous conclusion, subject only to one reservation, on the important matters which they have had to consider.

The proposals submitted to them referred in the main to the control to be exercised over the international traffic, and the Sub-Committee had the advantage of the assistance of expert advisers attached to several of the Delegations.

The general object of the proposals in Part II of the Advisory Committee's scheme is explained in the latter part of the explanatory note contained in Annex 2 of the Report of the work of the Sixth Session of that Committee (A.32.1924.XI).

It is there pointed out that "experience during the three years which have elapsed since the Convention came into force has shown that there are loopholes in the existing provisions of

which persons engaged in illicit traffic can evade the control over the national and international trade"; and the proposals of the Advisory Committee's aim in particular at establishing a much closer control over the international movement of the substances to which the Convention applies. The principal provisions for the control of the international traffic in the existing Convention are contained in Articles III, IV, V (which relate to raw opium) and Articles X(b), XII and XIII (which relate to the manufactured drugs). The object of these provisions is to confine to authorised persons the right to export and import the substances covered by the Convention, and to prevent the export of the substances from one country to any unauthorised persons in another country; but no adequate machinery is provided for securing this object effectively. The proposals of the Advisory Committee would expand these provisions and lay down in detail the methods by which the control of the international trade is to be carried out.

These proposals have been thoroughly examined by Sub-Committee "E" and have been adopted by them in the main. Certain modifications have been introduced, which relate chiefly to points of detail. A text of the provisions as proposed by the Sub-Committee for inclusion in the Convention to be adopted by the Conference is appended to this Report (See Annex I) and for the convenience of the Conference the modifications introduced by the Sub-Committee are indicated by the black lines.

Articles II and III lay down two principles which are essential to the effective control of the International traffic. The first of these is that a separate import authorisation or export authorisation from the Government shall be required in the case of each consignment imported or exported; this secures

that every international transaction in the substances covered by the Convention comes under the consideration of the Government before it is carried out. The second is that an export authorisation shall only be issued by the Government of the exporting country on the production of a certificate from the Government of the importing country that the import into the latter country of the consignment proposed to be exported has been approved. The production of such a certificate is a guarantee to the Government of the exporting country that its exports are destined for persons duly authorised by their Government to receive the drugs, and for purposes which are legitimate. The manner in which the import certificate system operates has been fully explained in the memorandum circulated by the Secretary-General of the League on the advice of the Opium Advisory Committee, which will be found in C.E.15.1922. Those two principles have already been adopted by many Governments. It is hoped that one result of the present Conference will be to secure their general adoption by all countries. Until that is done, the control over the international traffic will not be completely effective.

A model form of import certificate has been recommended by the League of Nations for adoption by the Governments which accept the system. The Sub-Committee considers that it would be desirable that this form should be followed as closely as possible by all signatory States and recommends that it should be included in an annex to the new Convention as a model recommended for adoption by the signatory States.

It is recognised that the requirement of an import certificate can be applied only in the case of exports to countries which are parties to the Convention or, at least, accept the import certificate system. The Government of an exporting country will not be compelled to require the production of an import certificate in respect of exports to a country which is outside the Convention and does not agree to furnish such certificates. It is to be understood that in these cases the principle above mentioned will not apply, but at the same time a moral obligation will rest on the Government of the exporting country not to allow the export of the substances in excessive quantities to countries which decline to furnish import certificates and to co-operate in the system of international control, and which in some cases are known to be centres of the illicit traffic.

It will not perhaps be necessary to refer in detail to the minor modifications introduced by Sub-Committee "B" in the proposals of the Advisory Committee, but one or two points may be noted.

It will be noticed, on a comparison of Article II with Article III (iii) that while an import authorisation may allow a supply of the substances to be imported in more than one consignment, a similar latitude is not allowed in the case of exportation. The reason for this will be apparent on an examination of the proposals as a whole. In the case of an importation it will not be possible for the importer to know beforehand whether the person in the other country from whom he is obtaining the supply will be able to send it in a single consignment or not, and as the import authorisation has to be issued before he can order the goods, provision must be made to allow the

importation to be effected in more than one consignment. The case is different in regard to exports. The general scheme requires that a copy of the export authorisation must accompany the goods, and it would lead to great confusion if the export authorisation allowed the dispatch of the goods in more than one consignment and there was a difference between the amount specified in the export authorisation and the quantity of goods in the consignment. It is proposed therefore that where the goods have to be sent in separate consignments, a separate export authorisation should be obtained in respect of each consignment. This should lead to no difficulty in practice.

Article III (iv) and V will enable the authorities to follow up the export and provides a safeguard against its diversion to illicit purposes. In the first place, it is provided that a copy of the export authorisation must accompany the consignment. It is understood that the usual procedure would be, in the case of consignments sent by sea, that the copy should be handed to the Captain or other responsible officer of the ship, and in the case of goods sent overland by train, to the responsible railway official in charge of the goods, and so on.

In the second place it is required ^{that} the Government issuing the export authorisation shall send a copy to the Government of the importing country, and that the latter Government shall return the copy to the Government of the importing country when the importation has been effected with a notification of the amount received. The Sub-Committee consider that the copy should be sent direct from the competent authorities in the one country to the competent authorities in the other, and not through the diplomatic channels.

Articles VII and VIII (relating to the manufactured drugs) correspond to Articles (II) and (III) (relating to raw opium). It is unnecessary therefore to say anything in regard to the provisions in Articles VII and VIII.

Special provisions are inserted in Articles (III) (?) (VIII) (?) and XI to adapt the system of control to the case of "bonded warehouses."

Article IX is a provision of great importance. Free Ports not being subject to the ordinary control of the customs authorities of the territory in which they are situated, the illicit traffickers have been able in the past to evade control by making use of the Free Ports. Attention has been called by the Opium Advisory Committee to this means of evasion, and the question has been reported upon by the Transit Committee of the League (see Annex 7 to minutes of the 4th Session of the Advisory Committee, C. 155, M. 75, 1923). In consequence of the attention so called, a number of Governments have already adopted and are enforcing, measures of control over imports and exports of the drugs in their Free Ports.

On the consideration of this Article the Italian representative pointed out that the Italian Government is disposed to prohibit entirely the introduction into the Free Ports in Italy of the substances covered by the Convention. It is not suggested by the Sub-Committee that countries which have already more drastic provisions in force than those suggested in Article IX should weaken their provisions, and they recommend that the Drafting Committee, when settling the wording of this Article, should insert a provision to meet such cases.

Article X is a redraft of Article 7 (X) and (XI) of the Advisory Committee's proposals, which has been prepared by the expert advisers who have assisted the Committee. In the opinion of

the Sub-Committee the redraft both simplifies and renders more effective the procedure for exercising control over consignments in transit whether there is a change of conveyance (e.g. transshipment) or not during transit. The drafting at present is somewhat lengthy, but this could be left to the Drafting Committee to improve.

Attention may specially be called to the opening lines of the Article, which are designed in particular to meet the case of goods in transit along international waterways. There are a number of cases in which, under Treaty, goods pass along international waterways without interference from the authorities of the countries through which the waterways pass. For instance, goods going by sea to Antwerp along the waters of the Scheldt are exempt from interference by the Dutch authorities. Other cases which may be mentioned are international canals such as the Suez Canal, and the great lakes of North America which are situated partly in the territories of the United States and partly in the territories of Canada.

The Sub-Committee has also had to consider the question of transport by air.

Where the aircraft is permitted, by international agreement, to fly over the territory of an intervening country without landing it would be impossible, as well as unnecessary, to apply the stipulations of Article X.

In cases where the aircraft is required by the law of the intervening country to land in its territory, or does in fact land in the territory, there will be no difficulty in applying the stipulations of Article X when the landing takes place at an authorised landing place at which the Customs officials or other authorised representatives of the State authorities are present.

On the other hand, if the landing is effected at some place which is not an authorized landing place, it may not be possible in all cases for the authorities of the intervening country to apply the stipulations of Article X.

The Sub-Committee has accordingly inserted a provision in the foregoing sense to regulate the application of Article X to transport by air of the substances covered by the Convention.

A proposal was submitted to the Sub-Committee that if any person fails to produce any document as required by paragraph (i) of Article X, or diverts, or attempts to divert, without an authorisation as required by paragraph (ii) any consignment to a destination other than that named in the export authorisation or diversion certificate, he shall be guilty of an offence, and the consignment shall be liable to confiscation, whoever may be the owner of it. The Sub-Committee agree with this proposal, but they consider that any provisions as to penalties or confiscation should appear in an Article in the Convention applying generally to the provisions of the Convention, and that the drafting of such an article should be referred to the Drafting Committee.

Article XII is new. Any interference with the drugs while in transit will make it easy for the illicit traffickers to evade control. Many cases have come to light in which the drugs had been abstracted from the packages while in transit and replaced by other goods.

Part III, Article 2. The Sub-Committee endorse this recommendation of the Advisory Committee and suggest that it might be appended to the Convention adopted by the Second Conference in

a protocol. The reasons for the recommendation are the following:- A ship of country "A" may be engaged in smuggling opium from country "B" to country "C", without touching at any port in country "A" and without, therefore, coming under the control of the authorities of country "A". A large amount of the illicit traffic in opium is carried on in this way. The Sub-Committee recognise that some Governments may find difficulty in applying such a provision, and will require to examine it carefully before they can adopt it. It is for this reason that they have not proposed that it should be inserted as a definite provision in the Convention itself.

The Sub-Committee also recognise that the provision will not be applicable if country "B" is not a party to the Convention and does not issue export authorisations. The Drafting Committee should be asked, in settling the terms of the recommendation, to provide for such cases.

In Article 7(VI) the Advisory Committee recommend the omission, at the end of Article X of the Hague Convention, of the words "this rule shall not necessarily apply to medical prescriptions and to sales by duly-authorized chemists." The effect of this proposal would have been to require that all sales on medical prescriptions and by duly authorized chemists should be registered. It was pointed out in the Sub-Committee that this would not fit in with the systems of control over such sales in certain countries, and it was unanimously agreed, in place of omitting the words altogether, to substitute for them the words "this requirement shall not necessarily apply either to supplies by medical practitioners to their patients or to sales by duly authorized chemists on medical prescriptions, if the medical prescriptions are duly filed and preserved by the medical practitioner or chemist."

As regards Article 30 in the United States draft, it was pointed out that it would not be possible to make the possession of

coca leaves illegal in countries, where the coca plant grows wild, and the Committee have, in view of this and of other objections, not felt able to make any recommendation at the present stage.

The Sub-Committee discussed at length the recommendations of the Advisory Committee in Part III (1), that each Government "should forbid any person within its jurisdiction from procuring or assisting the commission in any place outside its jurisdiction of any offence against the laws in force in such place " relating to the control, etc. of the drugs. The Sub-Committee entirely approve the principle of this proposal, but attention was called to the fact that there may be constitutional difficulties in the way of its acceptance by certain countries. The First Opium Conference, which had a similar proposal before it, and had to take account of the same difficulties, adopted a text as follows:-

The Contracting Powers will examine in the most favourable spirit the possibility of taking legislative measures to render punishable illegitimate transactions which are carried out in another country by a person residing within their territories.

The Sub-Committee felt that it would be difficult to recommend a different text for adoption by the Second Conference, and accordingly suggest that an Article on the same lines as Article 9 of the First Conference Agreement should be adopted by the Second Conference. The delegate of the United States made a reservation in favour of the adoption of the original proposal of the Advisory Committee, to which effect is given in Article 20 (F) of the United States Draft.

The Sub-Committee approve the proposal in Article 7 (f) of the Advisory Committee's proposals and Article 2 of the United States proposals that Article II of the Hague Convention should be extended to coca leaves.

A new proposal has been submitted to the Sub-Committee that Article IV of the Hague Convention, which provides that "every package containing raw opium intended for export shall be marked in such a way as to indicate its contents, provided that the consignment exceed five kilogrammes", should be suppressed. It has been found that marks indicating that a particular packet contains raw opium are a help to opium thieves, and are of no real value for the purpose of the control over the traffic. The proposed requirement that a copy of the export authorisation must in future accompany the goods will provide a much more effective safeguard. The Sub-Committee therefore approve the proposal and recommend its adoption by the Conference.

The attention of the Sub-Committee has been called to two other matters. (1) The importance of adequate penalties being attached to infractions of the national laws which are adopted to give effect to the provisions of the new Convention. (2) The desirability of the adoption by all States of the direct exchange of information between the competent authorities of the States in regard to the illicit traffic and the persons engaged in it. The Sub-Committee is impressed with the importance of these matters, and it recommends (1) The insertion in the new Convention of an article providing for the punishment of infractions of the law by adequate penalties, and (where appropriate) the confiscation of the substances in respect of which the infraction has been committed. (2) The adoption of a voeu recommending that all States should cooperate as closely as possible with one another in the suppression of the illicit traffic and that they should authorize the competent authority, charged with the administration of the law on the subject, to communicate directly with the corresponding authorities in other countries.

ANNEX I.

(Part 1).

Text of provisions proposed by Sub-Committee "E"
for insertion in a new Convention.

The following Article (numbered 2 bis) shall be added to the Convention:-

"Each Contracting Power shall require that a separate import authorisation, stating the quantity to be imported and the name and address of the importer and the name and address of the exporter, must be obtained for each importation of raw opium or coca leaves.

The import authorisation shall specify the period within which the importation must be effected and may allow the importation in more than one consignment."

II. Article 3 shall be replaced by the following Article:-

1. "Each Contracting Power shall require that a separate export authorisation must be obtained for each exportation of raw opium or coca leaves, stating the quantity to be exported and the name and address of the exporter and the name and address of the importer!"
2. "The Contracting Power, before issuing such export authorisation shall require an import certificate, issued by the Government of the importing country, and certifying that the importation is approved, to be produced by the person applying for the export authorisation."
3. "The export authorisation shall specify the period within which the exportation must be effected."

4. "A copy of the export authorisation shall accompany the consignment and the Government issuing the export authorisation shall also send a copy to the Government of the importing country."
5. "The Government of the importing country, when the importation has been effected, or when the period fixed for the importation has expired, shall return the export authorisation with an endorsement to that effect to the Government of the exporting country. The endorsement shall specify the amount actually received."
- 6.. "If a less quantity than that specified in the export authorisation is actually exported, the quantity actually exported shall be noted by the competent authorities on the export authorisation and on any official copy thereof."
7. "In the case of an application to export a consignment to any country for the purpose of being placed in a bonded warehouse in that country, the production of a special certificate from the Government of that country, certifying that it has approved the introduction of the consignment for the said purpose, may be admitted by the Government of the exporting country in place of the import certificate provided for above. In such a case the export authorisation shall specify that the consignment is exported for the purpose of being placed in a bonded warehouse."
111. Article 12 shall be replaced by the following article:-
 "Each Contracting Power shall require that a separate import authorisation, stating the quantity to be imported, the name and address of the importer and the name and address of the exporter must be obtained for each importation of any of the substances to which Chapter 111 applies. The import authorisation shall specify the period within which the importation must be effected and may allow the importation in more than one consignment."

IV. Article 13 shall be replaced by the following article:-

1. "Each Contracting Power shall require that a separate export authorisation must be obtained for each exportation of any of the substances to which Chapter III applies, stating the quantity to be exported, and the name and address of the exporter and the name and address of the importer."
2. "The Contracting Power, before issuing such export authorisation, shall require an import certificate issued by the Government of the importing country and certifying that the importation is approved, to be produced by the person applying for the export authorisation."
3. "The export authorisation shall specify the period within which the exportation must be effected."
4. "A copy of the export authorisation shall accompany the consignment, and the Government issuing the export authorisation shall send a copy to the Government of the importing country."
5. "The Government of the importing country, when the importation has been effected, or when the period fixed for the importation has expired, shall return the export authorisation, with an endorsement to that effect, to the Government of the exporting country. The endorsement shall specify the amount actually received."
6. "If a less quantity than that specified in the export authorisation is actually exported, the quantity actually exported shall be noted on the export authorisation and on any official copy thereof."
7. "In the case of an application to export a consignment to any country for the purpose of being placed in a bonded warehouse in that country, the production of a special certificate from the Government of that country, certifying that it has approved the introduction of the consignment for the said

purpose, may be admitted by the Government of the exporting country in place of the import certificate provided for above. In such a case the export authorisation shall specify that the consignment is exported for the purpose of being placed in a bonded warehouse."

V. For the purpose of ensuring the full application and enforcement of the provisions of the Convention, as amended by this agreement, in free ports and free zones, the Governments undertake to apply in free ports and free zones situated within their territories the same laws and regulations, and to exercise the same supervision and control in respect of the substances covered by the Convention, as amended by this agreement, as in other parts of their territories.

VI. Subject to the provisions of any international agreement or treaty limiting the control which may be exercised by any of the Contracting Powers over the substances covered by the Convention as amended by this agreement when in direct transit:

"No consignment of any of the substances covered by the Convention as amended by this Agreement which is exported from one country to another country, shall be permitted to pass through the territory of a third country, whether or not it is removed from the ship or conveyance in which it is being conveyed, unless the copy of the export authorisation (or the diversion certificate, if such a certificate has been issued in pursuance of the following paragraph), which accompanies the consignment, is produced to the competent authorities of that country."

(2) "The competent authorities of any country through whose territory a consignment of any of the substances covered by the Convention as amended by this Agreement, is permitted to pass, shall take all due measures to prevent the diversion of the consignment

to destination other than that named in the copy of the export authorisation or the diversion certificate which accompanies it, unless the Government of that country has authorised that diversion by means of a special diversion certificate. A diversion certificate shall only be issued after the receipt of an import certificate in accordance with Article 3 or Article 13 from the Government of the country to which it is proposed to divert the consignment and shall contain the same particulars as are required by Article 3 or Article 13 to be stated in an export authorisation, together with the name of the country from which the consignment was originally exported; and all the provisions of Article 3 or Article 13 which are applicable to an export authorisation shall be applicable equally to the diversion certificate. Further, the Government of the country authorising the diversion of the consignment shall detain the copy of the original export authorisation or diversion certificate which accompanied the consignment on arrival in its territory and shall return it to the Government which issued it, at the same time notifying the name of the country to which the diversion has been authorised."

In cases where the transport is being effected by air, the provisions of this Article shall not be applicable if the aircraft passes over the territory of the third country without landing. If the aircraft lands in the territory of the said country, the provisions of this article shall be applied so far as the circumstances permit.

The provisions of this Article shall not apply to transport of the substances by the post.

VII. A consignment of any of the substances covered by the Convention, as amended by this agreement, which is landed in any country and placed in a bonded warehouse, shall not be allowed by the Government of that country to be withdrawn from the bonded warehouse unless an import certificate, issued by the Government of the country of destination and certifying that the importation is approved, is produced to the authorities having jurisdiction over the bonded warehouse. A special authorisation shall be issued by the Government in respect of each consignment so withdrawn and shall take the place of the export authorisation for the purpose of the preceding provisions of this agreement.

VIII. Any consignment of the substances covered by the Convention as amended by this Agreement, while passing in transit through the territories of a country or whilst being stored there in a bonded warehouse, may not be subjected to any process which would alter the nature of the substances in question, or, without the permission of the competent authorities, the packing.

(Part 2).

Recommendation proposed for adoption by the Conference.

That each Government should forbid the conveyance in any ship sailing under its flag of any consignment of the substances covered by the Convention as amended by this Agreement:-

- i. Unless an export authorisation has been issued in respect of such consignment in accordance with the provisions of the Convention as so amended and the consignment is accompanied by an official copy of such authorisation, or of any diversion certificate which may be issued,
- ii. To any destination other than the destination mentioned in the export authorisation or diversion certificate.

(Part 3).

Article 7 (VI) of the Advisory Committee's proposals

"In Article 10 the words "The Contracting Powers shall control" shall be substituted for "The Contracting Powers shall use their best endeavours to control or to cause to be controlled," and the words "The Contracting Parties shall adopt" shall be substituted for "The Contracting Powers shall use their best endeavours to adopt or cause to be adopted."

"The words "or shall make to the competent authorities an official declaration that they are so engaged" shall be omitted.

"The words "This rule shall not necessarily apply to medical prescriptions and to sales by duly authorised chemists" shall be omitted."

and articles 10 and 11 of the proposals submitted by the United States of America

Article 10. "The Contracting Parties shall control all persons manufacturing, importing, selling, distributing or exporting morphine, cocaine or their respective salts or derivatives as well as the buildings in which these persons carry on such industry or trade.

With this object, the Contracting Parties shall

- a) Confine the manufacture of morphine, cocaine and their respective salts and derivatives to those establishments and premises alone which have been licensed for the purpose, or obtain information respecting the establishments and premises in which these drugs are manufactured and keep a register of them;
- b) Require that all persons engaged in the manufacture, import, sale, distribution, or export of morphine, cocaine or their respective salts or derivatives shall obtain a licence or permit to engage in these operations;
- c) Require that such persons shall enter in their books the quantities manufactured, imports, sales and all other distribution, and exports of morphine, cocaine and their respective salts and derivatives."

Article 11. "The Contracting Parties shall take measures to prohibit, as regards their internal trade, the delivery of morphine, cocaine and their respective salts and derivatives to any unauthorised persons."

are approved (subject to redaction of the wording of the Committee of Redaction) with the following exceptions:

- 1) No recommendation is made on the proposal to add the words "and derivatives" which had been referred to Sub-Committee "F",

- 2) Instead of the omission of the words "This rule shall not necessarily apply etc." at the end of Article 10 of the Hague Convention, it is proposed that these words should be replaced by the following:-

"This requirement shall not necessarily apply either to supplies of medical practitioners to their patients or to sales by duly authorised chemists on medical prescriptions, if the medical prescriptions are duly filed and preserved by the medical practitioner or chemist."

It is not possible to settle the text of Article 20 as proposed to be amended by the United States of America, until it is known what decisions have been taken by the Conference in regard to the production of raw opium or coca leaves.

Sub-Committee E recommend that Part III (L) of the proposals of the Opium Advisory Committee and Article 20(f) of the proposals submitted by the United States of America should be replaced by Article 9 of the First Opium Conference Agreement. The delegate of the United States of America makes a reservation in favour of the original proposal.

The Norwegian proposals, Part II, paragraph 2, (Document O.D.C.20):

"The Norwegian Government cannot accede to the proposals for the deletion of the last sentence in Article 10 of the Hague Convention, if that is to be taken to mean that chemists would have to enter in their books, together with the name of the purchaser, each consignment of opium etc., or of drugs containing the foregoing substances, and to notify the authorities of the facts. Such a provision would be too drastic and is not essential for the purposes of control. It would,

moreover, appear to be impracticable. While dealing with this subject, we desire to state that pharmacies in Norway are regularly inspected by the authorities and that the license system at present governing the opening of pharmacies in that country is, from the standpoint of control, equivalent to a State Monopoly."

are covered by the amendment to Article 10 of the Hague Convention proposed above.

The Austrian proposals (C.D.C.20(a))

"The Federal Government is unable to agree to the proposal contained in Nos. III and VIII of Section IX to the effect that when a copy of the export license does not accompany the consignment the Government issuing the export license shall send a copy to the Government of the importing country. The Federal Government thinks that a measure of this kind would merely give excessive work to the authorities concerned without appreciably contributing to the suppression of illicit traffic. As the Federal Government has already ventured to point out when submitting its report for the year 1923, it is in principle prepared to issue licenses in quadruplicate. In its opinion it would be well to render this rule universal and to lay down that one of these copies should accompany each consignment. Should the Governments of an exporting country so request, it might further be laid down that the copy of the export license accompanying the goods should be returned to the Government in question with an affidavit by the Government of the importing country to the effect that the importation has actually taken place."

"As regards the proposal contained in No. X, namely that in the case of a consignment of narcotics passing in transit through the territory of a third country without being removed from the ship or conveyance in which it is being conveyed, that a declaration should be made to the authorities of the country of transit of the contents of the consignment and the country for which it is destined, the Federal Government feels that it should point out that the authorities of the country through which the goods pass are not in a position to apply the provisions concerning the control in traffic in narcotics to goods transported in closed receptacles which are not removed from the means of transport - which in other words remain during transit under Customs seal. The control of such consignments by the authorities through which they pass, would be going too far, and would not, moreover, produce

of the countries

any results unless part or at least of some of the packages chosen at random, were to be examined. The authorities of a country of transit are not, however, entitled - unless they have serious suspicions concerning the contents - to open these packages. It should, moreover, be borne in mind that according to the Convention for the simplification of Customs Formalities, concluded on November 3rd, 1923, all excessive or useless formalities should be avoided. In the opinion of the Federal Government a copy of the export certificate accompanying the goods should be sufficient to warrant the consignment."

are covered by the decisions taken on Part II of the Opium Advisory Committee's proposals.

The Egyptian proposals (O.D.C.44) paragraph 3) were withdrawn.

It is provisionally recommended that Article 4 of the Hague Opium Convention should be suppressed. Mr. Neville reserved the right to bring the matter up at a later date.

The extension of Article 2 of the Hague Convention to include coca leaves as suggested in the proposals of the Opium Advisory Committee and the United States of America was accepted.

ANNEX II.

MODEL FORM OF IMPORT CERTIFICATE.
INTERNATIONAL OPIUM CONVENTION.

Certificate of Official Approval of Import.

I hereby certify that the Ministry of.....
being the Ministry charged with the administration of
the law relating to the dangerous drugs to which the
International Opium Convention of () applies, has
approved the importation by

a) (Name, address
and business
of importer) a).....

b) (Exact descrip-
tion and amount
of drug to be
imported.) of b).....

c) (Name and address
of firm in export-
ing country from
which the drug is/from
to be obtained) / c).....

d) (State any special
conditions to be
observed, e.g. not
to be imported
through the post)

subject to the following conditions

d).....
and is satisfied that the consignment proposed
to be imported is required:

(1) for legitimate purposes (in the case of
raw opium)¹

(2) solely for medicinal or scientific
purposes (in the case of drugs to which
Chapter III of the Convention applies).

Signed on behalf of the Ministry of.....

Signature.....

Official Rank.....

Date.....

1. Where the use of prepared opium has not yet been suppressed
and it is desired to import raw opium for the manufacture of
prepared opium, a certificate should be given to the effect
that the raw opium to be imported is required for the purpose
of manufacturing prepared opium for use under Government
restrictions pending complete suppression, and that it will
not be re-exported.

Geneva, February 5th, 1925.

LEAGUE OF NATIONS.

SECOND OPIUM CONFERENCE. SUB-COMMITTEE E.

Letter from the Director of the
Communications and Transit Section
to the Chairman of Sub-Committee E.

Geneva, February 5th, 1925.

Sir,

In reply to your letter of January 31st, 1925, I have the honour to submit to you the following observations:

1) I have the honour to draw your attention to the opinion given on August 29, 1923 by the Advisory and Technical Committee for Communications and Transit in response to the request of the Advisory Committee on Opium in regard to the question of the control of the opium traffic in free ports. The text of this opinion will be found on page 22 of Document O.667.M.267.1923.VIII. It contains in particular the following passage:

"Legally, the regime of a free port allows the sovereign State of the port, by its ordinary policing and supervisory powers, to enact any measure for the control of the opium traffic in the free port which it considers necessary for the application of the International Opium Convention.

To The Chairman of Sub-Committee E.
of the Opium Conference, Geneva.

"In practice, any such measures which could be taken would no doubt be fully adequate to control the traffic of opium which has been declared. On the other hand, in view of the small bulk of these goods, there is no doubt that the measures to prevent contraband in opium in free ports, as well as in any other ports, will often prove ineffective in cases in which opium is not declared.

"The most practical means of surmounting these difficulties would therefore appear to be to perfect the control in the free port itself by the following general measures:

"Opium should not be despatched from the country of origin to a free port except in the two following cases:

"(a) If the consignment is sent with a through bill of lading made out to a final destination via the free port, the country of origin must not, in such a case, despatch the opium unless the country of destination shown in the through bill of lading has given the guarantees regarded as necessary with a view to the application of the Opium Convention.

"(b) If, according to the bill of lading, the free port is the final destination of the consignment, the sovereign State of the port has given the same guarantees. In such a case the free port is considered, in respect of these guarantees alone, as being on exactly the same footing as any other part of the territory of that State."

The two points (a) and (b) mentioned by the Advisory and Technical Committee for Communications and Transit appear to me to be covered by the draft drawn up by Sub-Committee E of the Opium Conference. The first concerns the case when the vessel carrying opium touches at a free port; in this case it would seem that the obligations entered into by the exporting country on the one hand and by the importing country on the other are sufficient to ensure that the dangerous substance will not be unloaded at the free port in the course of the voyage.

As regards point (b) it would appear that consignments whose final destination is a free port or which originate from a free port are not covered by the terms exportation and importation, as a free port does not in principle form part of the Customs territory of a State. A special clause was therefore necessary to extend the provisions of the Convention to these free ports. Such a clause is contained in Article 5 of the Draft in accordance with which the Governments undertake to apply the laws and regulations in force in their country to free ports and to zones situated within their territories.

We presume that by this text the Sub-Committee wished to declare that the obligations embodied in the first four Articles of the Draft regarding the delivery of import and export certificates are to be applied to narcotics entering or leaving free ports. It might perhaps be possible to make the wording of the article more explicit on this point.

2) As regards Article 6 of the Draft, the different general conventions regarding communications and the Convention on the Freedom of Transit concluded under the auspices of the League of Nations explicitly provide for the application of the measures of control which might be taken by the various States in virtue of the Transit Conventions to the exportation or importation of a special category of goods, such as opium or other harmful drugs.

Apart from these general conventions, however, there are also sometimes special agreements in existence between a limited number of States, usually contiguous to one another. It is conceivable that such special agreements may organise transit in such a way as to render impossible the exercise of the supervision provided for in the Opium Convention by the State through which transit takes place. To cover the case of these special agreements without giving rise to abuses, it is suggested that Article 6 should begin as follows:

Subject to the provisions of any international agreement or treaty organising transit in such a way as to render impossible the exercise of the control provided for in the present Convention by the State through which transit takes place, no consignment by any etc.

3) The Transit Section presumes that the purpose of Article 8 of the Draft is to prohibit any operation modifying the nature of the substances or, except when permission is granted by the competent authorities, of the packing of the substances in cases when they have been placed in a bonded warehouse or are in process of transit, when their final destination is already known;

but that this article does not attempt to extend this prohibition to the case of goods remaining in a free port in the course of their transportation. If this interpretation is correct, it would be necessary to modify slightly the wording of the article, as the term "in transit", according to the definition given in the general Convention on Freedom of Transit certainly applies to a large number of cases when goods go through a free port.

Accordingly, the Sub-Committee might see fit to word the article as follows, if it wishes to exclude the case of free ports or free zones:

"The substances referred to in the Convention as amended by the present agreement, when they pass in transit through the customs territory of a country with or without being placed in a bonded warehouse, may not be subjected to any operation liable to modify either the nature of the substances in question or, except when permission is given by the competent authorities, the packing of such substances".

I have the honour to be, Sir, etc.

For the Director of the Communications
and Transit Section.

(Signed) R. H. S.

In addition, article 1 of the Protocol, which forms an integral part of the Convention, after confirming the stipulation contained in article 12 quoted above, expressly mentions in this connection the International Opium Convention and all other obligations incurred by the Contracting States with regard to international security.

In view of these two Articles, the question whether the Convention which you propose to conclude is in opposition to the undertakings contracted in virtue of the Convention on Customs Formalities, does not arise.

I have the honour to be, etc.,

for the Director of Economic &
Financial Section,

(Signed) STOPPANI.

LEAGUE OF NATIONS.

O.D.C./S.C.E/7.

SECOND OPIUM CONFERENCE.

SUB-COMMITTEE E.

Extent to which the application of the measures contained in Sub-Committee E's Report might be contrary to the undertakings contracted in virtue of the Convention on Customs Formalities.

Letter from the Economic Section of the Secretariat of the League of Nations.

Economic & Financial
Section.

Geneva, February 6th, 1925.

To the Chairman of Sub-Committee E., Second Opium Conference.

Sir,

In a letter dated January 31st you were good enough to ask the opinion of the Economic Section on the question whether the Report of Sub-Committee E of the Second Opium Conference contains any clauses whose application would raise any difficulties in consequence of undertakings in the Convention on Customs Formalities.

In reply to this question I cannot do better than call your attention to the second part of article 17, which expressly stipulates that the Convention on Customs Formalities shall in no case "prejudice the measures which contracting States may take to ensure the health of human beings, animals or plants".

LEAGUE OF NATIONS.

SECOND OPIUM CONFERENCE.

Provisional Minutes

• Sub-Committee F.

Second meeting held at Geneva, Saturday,
29th November, 1924, at 10.30 a.m.

Dr. CARRIERE (Switzerland) in the Chair.

Present: All members who had attended the preceding meeting.

PUBLICITY OF MEETINGS.-

The Sub-Committee decided that its meetings should be held in public.

LEGITIMATE REQUIREMENTS OF OPIUM AND ITS DERIVATIVES, REPORT OF THE HEALTH ORGANISATION (Continuation of the discussion).

Dr. STADE (Free City of Danzig) made a statement regarding the manufacture, sale, distribution and use of drugs in the Free City of Danzig.

Dr. ANSELMINO (Germany) criticised the figures given for Germany appearing in the report of the Health Organisation, and also the basis on which certain calculations had been made.

Prof. EMMANUEL (Greece) made a statement regarding the manufacture of drugs in Greece.

Dr. BETANCES (Dominican Republic) thought that in any proposal for limiting production and manufacture provision should be made for a surplus of drugs to be used for scientific purposes.

Dr. SPICA (Italy) made a statement regarding the position

of drugs in Italy and gave his views on the figure 450 milligrammes suggested in the report.

The CHAIRMAN explained the views of the authors of the report in regard to the figure of 450 milligrammes which was intended to be used solely as a basis for calculating the scale of limitation.

M. de MYTENDIJK (Belgium) thought that the data at present available were insufficient for calculating the per capita requirements of opium.

Dr. GOTUZZO (Brazil) agreed with the Chairman's explanations regarding the figure 450 milligrammes. He pointed out the dangers of codeine, eucodal and dicodide as habit-forming drugs. Codeine should not be forgotten in any calculation made by the Sub-Committee.

Surgeon-General BLUE (U.S.A.) desired that an opportunity of raising the question of codeine should be given.

On the proposal of the CHAIRMAN the Sub-Committee decided to finish the general discussion and then to take up the question of codeine together with that of cocaine and other drugs.

Surgeon-General BLUE (U.S.A.) made a statement regarding the narcotic position in America.

Dr. ANSELMINO (Germany) thought it possible to estimate the medical and scientific needs of drugs in each country and gave details in regard to Germany.

The CHAIRMAN proposed that the Sub-Committee should decide whether it could arrive at a general figure and report to the 1st Committee. The figure arrived at would be approximate and would be subject to the same reservation as that put forward by the Health Organisation. The Sub-Committee could either fix this figure or declare it to be impossible.

Dr. BETANCES (Dominican Republic) thought it very difficult, if not impossible, to arrive at such a figure, but, if the Sub-Committee were successful in so doing, it should not be forgotten that a surplus to be used for medical and scientific requirements was absolutely necessary.

Dr. AMYOT (Canada) said that 450 milligrammes would be too generous an allowance for Canada where opium was used in ever decreasing quantities by the medical profession. Canada would prefer 350 milligrammes. He gave details of the control of drugs in Canada.

Dr. BUSTAMANTE ROMERO (Spain) thought that the discussion should be adjourned in order to allow an individual examination of the position to be made. Account should be taken of the proposal of Dr. Betances regarding a surplus.

Mr. KURZAN (British Empire) hoped that the Sub-Committee would be able to arrive at a figure to serve as an approximate basis for calculating the total world requirements. This figure should not be applied to individual countries.

The Sub-Committee should assume that all signatory countries to the Hague Convention were enforcing it.

The Sub-Committee should base its calculations on the figures in table 5 of the Health Committee's report brought up to date by the addition of the latest statistics available as to the position in the consuming countries.

Dr. BETANCES (Dominican Republic) explained that any surplus provided for would have to be subjected to the strictest control.

Surgeon-General BLUE (U.S.A.) asked whether any provision should be made for waste occurring during the process of

manufacture.

Mr. AMYOT (Canada) thought that there was very little waste in Canada.

The CHAIRMAN said that account had been taken of waste in the calculations contained in the report.

It would be very difficult to obtain the statistics desired by Mr. Kurwan. The Committee should take the information before it, which was as complete as was possible in the circumstances, for the purpose of its calculations.

The Chairman declared the general discussion to be at an end.

The Sub-Committee rose at 12.55 p.m.

LEAGUE OF NATIONS.

O.D.C/S.C.F/P.V.3.

SECOND OPIUM CONFERENCE.

SUB-COMMITTEE F.

Provisional Minutes.

Third Meeting held at Geneva Tuesday 2nd December 1924,

at 10. 30 a.m.

Dr. CARRIÈRE (Switzerland) in the Chair.

PRESENT: All members who had attended the preceding meeting
and Professor Emile PERROT (France).

Legitimate Requirements of Opium and its Derivatives.

Report of the Health Organisation. (Continuation of
the Discussion.)

After an exchange of views between

M. TSURUMI (Japan)

Dr. COEBERGH (Netherlands)

M. BUSTAMANTE (Spain)

Dr. MYTTEENMAERE (Belgium)

Mr. KIRWAN (British Empire)

Professor PERROT (France)

Surgeon-General BLUE (U.S.A.)

Dr. STADE (Free City of Danzig)

Dr. BETANCES (Dominican Republic)

and the CHAIRMAN

the Sub-Committee decided by 13 votes to 1

(Dr. COEBERGH - Netherlands) that it would reply in the
affirmative to the question referred to it by the

First Committee as to whether it was possible to fix a per capita per annum figure expressed in terms of raw opium for the world legitimate requirements of opium and its derivatives.

After a further exchange of views on the actual figure to be recommended and the reservations with which it was to be accepted.

The Sub-Committee adopted the figure of 450 milligrammes per capita per annum and requested the Chairman to draft a resolution with the assistance of the Secretary for submission to the Sub-Committee at its next meeting. This resolution should take account of the various reservations considered necessary by the Sub-Committee in adopting this figure.

Legitimate Requirements of Cocaine, Report of
the Health Organisation.

After an exchange of views on the proposal of the CHAIRMAN the Sub-Committee adopted the figure of 7 milligrammes per capita per annum on the understanding that the same reservations should be applied to this figure as were to be applied to the figure adopted for opium and its derivatives.

The Sub-Committee rose at 12.30 p.m.

LEAGUE OF NATIONS.

O. D. C./S. C. F./P.V. 4.

SECOND OPIUM CONFERENCE.

SUB-COMMITTEE F.

Provisional Minutes

Fourth Meeting held at Geneva, Wednesday, December 3rd at 9.45 a.m.

Dr. Carrière (Switzerland) in the Chair.

Present: All the members who had attended the preceding meeting.

INQUIRIES CONCERNING THE LEGITIMATE REQUIREMENTS OF OPIUM AND ITS DERIVATIVES.

Draft Report of the Sub-Committee.

Dr. CARRIERE, Chairman and Rapporteur, submitted a draft report on the inquiries concerning the legitimate requirements in opium and its derivatives carried out by the Health Committee at the request of the Advisory Committee on the Traffic in Opium. (Document CDC/SCF/5).

In view of the shortness of the time at the disposal of the Sub-Committee, the discussion on the report was adjourned until the next meeting.

The Committee rose at 10.15.

LEAGUE OF NATIONS.

O.D.C./S.C.F./P.V. 5.

SECOND OPIUM CONFERENCE

Sub-Committee F.

Provisional Minutes,
Fifth Meeting held at Geneva
Thursday 4th December 1924, at 10.30 a.m.

Dr. CARRIERE (Switzerland) in the Chair.

Present: All members who had attended the
preceding meeting.

Enquiries into the legitimate requirements of
opium and its derivatives.

Draft Report of the Sub-Committee (Continuation of the discussion)

M. BUSTAMANTE (Spain) made a general statement on the estimate of the legitimate requirements of opium and its derivatives accepting with certain reservations the figure 450 milligrammes.

The CHAIRMAN submitted the recommendations contained in the draft report for the approval of the Sub-Committee.

The Sub-Committee adopted the recommendations in question in the following form :-

The Sub-Committee of the International Opium Conference set up to examine the report of the Health Committee of the League of Nations regarding the legitimate needs of opium and its derivatives;

Considers that these requirements might be fixed at the round figure of 450 mg. of raw opium at 10% of morphine per head per year;

It being understood, however,

That this figure represents a maximum, and as it was established solely on the basis of estimates furnished by countries possessing a highly developed system of medical assistance, it can only be applied to countries where similar conditions obtain ;

That since this figure is primarily intended to serve as a basis for the reduction of the world production of opium and the manufacture of its derivatives, it must be considered solely from this point of view and not from the point of view of the consumption in each individual country.

The Sub-Committee, ^{would} moreover, point out :

That the figure of 450 mg. only very incompletely takes account of the quantities of morphine consumed in the form of codein, as the requirements of this alkaloid vary widely in different countries and only a few States have supplied accurate information with regard to it.

That the figure of 450 mg. must be considered as applying only to the normal legitimate requirements and not to certain exceptional circumstances, such as wars, epidemics or new scientific uses which may considerably increase the sum total of these requirements.

On the proposal of Dr. COEBERGH (Netherlands) who was unable to accept the conclusions of the report the following paragraph was added :-

One of the members considers it desirable that the proposal for an estimate of world requirements in narcotics should be definitely given up, since such an estimate would be based on data relating only to a certain locality and a certain country.

In addition, any such limitation of narcotics would, in consequence of the rise in prices, be a serious matter for patients, while at the same time part of these indispensable drugs would find their way into the contraband traffic.

The member in question was of opinion that the control by a Central Board of the statistics referred to in Article 4 of the Agreement would supply an adequate and more reliable basis for energetic action against the abuse of dangerous drugs.

Dr. COEBERGH's proposal to add this paragraph to the report was supported by the delegates of France and the Dominican Republic who though voting for the recommendations shared his views to a considerable extent.

The Sub-Committee adopted the following recommendation regarding the legitimate requirements of cocaine.

The Health Committee's report also contains data regarding the legitimate requirements in cocaine.

The information collected justifies us in laying down as the legitimate requirements in cocaine a round figure of 7 mg. per head and per year.

After having examined this question, the Sub-Committee considered that it could agree to the figure of 7 mg., but qualified its agreement by the reservations formulated above regarding opium and its derivatives.

Dr. COEBERGH (Netherlands) was unable to accept the figure 7 milligrammes.

The report as amended was adopted.

Dr. COEBERGH (Netherlands) and Dr. ANSELMINO (Germany) voting against it.

The Committee decided to insert the views of the delegates for the Netherlands and Germany in the form of a minority report.

Definition of Coca Leaves and Cocaine.

The Delegates of Belgium, British Empire, U.S.A. Italy, Japan, Germany and Brazil recognized that ecognine being the raw material of cocaine should be covered by the terms of the Convention. On the proposal of the CHAIRMAN a Sub-Committee composed of : -

Prof. PERROT (France)
Dr. MITTENMEERE (Belgium)
Dr. SPICA (Italy)
Surgeon General BLUE (U.S.A.)
Dr. ANSELMINO (Germany)
Dr. COEBERGH (Netherlands)

was appointed to define Coca leaves, Ecognine and Cocaine.

The Sub-Committee rose at 12.30 p.m.

LEAGUE OF NATIONS.

O.D.C./S.C.F./P.V.6.

SECOND OPIUM CONFERENCE.

Sub-Committee

Provisional Minutes

Sixth Meeting held at Geneva, on December 5th 1924,
at 10.30 a.m.

Dr. GARRIÈRE (Switzerland in the Chair.

Present : All members who had attended the
preceding meeting.

LEGITIMATE REQUIREMENTS OF OPIUM AND COCAINE AND THEIR
DERIVATIVES.

The CHAIRMAN explained that the report adopted by the Sub-Committee at the preceding meeting in no way concerned the question of the limitation of production or the rationing of states.

These questions were outside the competence of the Sub-Committee. The figures in the report for opium and cocaine were only intended to serve as a guide should the Conference decide on any system of limitation or rationing.

The Sub-Committee took note of the Chairman's
explanation.

DEFINITION OF COCA LEAVES AND COCAINE. REPORT OF THE
COMMITTEE OF EXPERTS.

Prof. PERROT (France) submitted the report of the committee of experts on the definition of Coca leaves and Cocaine.

Definition of Coca leaves.

Mr. KIRWAN (British Empire) submitted the definition given by British Government experts.

Surgeon General BLUE (U.S.A.) proposed the following addition after the word "Cocaine" in the ^{first} paragraph add "or any other habit - forming substances".

Mr. KIRWAN (British Empire) made a formal reservation regarding the definition proposed. He was unable to say whether the British Delegation would be able to accept it.

After an explanation furnished by the CHAIRMAN, Surgeon General BLUE (U.S.A.) withdrew his amendment on the understanding that account should be taken of it when the later articles of the convention were discussed.

The definition of coca leaves was adopted in the following form the delegate for the British Empire abstaining from the vote.

The term "coca leaves" shall be understood to mean the leaves of the Erythroxylum novogranatens (Morris) Hieronymus of the family of the Erythroxylaceae, and possibly also the leaves of other vegetable species of the same nature out of which cocaine might be extracted, either directly or by chemical transformations.

Any other vegetable raw material which may serve for the preparation of cocaine shall be subjected to the same control as coca leaf.

Definition of Cocaine.

It was decided to deal with the question of "Isomères" of cocaine under Article 14.

Surgeon General BLUE (U.S.A.) accepted the proposed definition on the understanding that the definitions should be inserted in later articles concerning Synthetic cocaine and similar products.

The Sub-Committee agreed with the delegate of U.S.A.

The definition of Cocaine was adopted in the following form : --

The term "Cocaine" shall be understood to mean :
Methylated ether of the benzoyllecgonine lévogyre (α D 20° --
+ -- 16°4) of which the formula is $C_{17} H_{21} N O_4$.

Definition of Ecognine.

Prof. FERROT (France) submitted the views of the Committee of Experts who considered that the definition of Ecognine should be placed in Article XIV.

The definition of Ecognine was unanimously adopted in the following form it being understood that explanations of the "Rotary Powers" and the chemical formula of ecognine would be included.

(a) To Raw Cocaine Ecognine Lévygyre, considered as raw material and to all the other products derived therefrom which might serve industrially for the recovery of such Ecognine Lévygyre.

The definition should be added to the Convention in the appropriate article.

It was understood that the English text of all three definitions was provisional.

AMENDMENTS TO ARTICLE XIV PROPOSED BY THE BELGIAN
AND U.S.A. DELEGATES.

The amendments were submitted for examination to the committee of experts appointed at the preceding meeting.

Dr. EMMANUEL (Greece) and Dr. TSURUMI (Japan) were added to the committee of experts.

ADDITION TO MEMBERSHIP OF SUB-COMMITTEE "F"

The CHAIRMAN welcomed Dr SUAREZ (Chile)

The Sub.Committee rose at 12.15.

LEAGUE OF NATIONS.

O.D.C/S.C.F/P.V.7.

SECOND OPIUM CONFERENCE.

SUB-COMMITTEE F.

Provisional Minutes

Seventh Meeting

held at Geneva, December 6th, 1924; at 10.30 a.m.

Dr. CARRIERE (Switzerland) in the Chair.

Present: All the members present at the preceding meeting.

Examination of Article 14..

Prof. PERROT (France) thought it would be best to proceed to a definition of the drugs coming within the provisions of the article and to consider what exceptions, if any, should be made. The Committee would probably state that the article was applicable to all preparations not destined for medical or scientific use.

Sir Malcolm DELEIVINGNE (British Empire) pointed out that, even medical drugs could be used by addicts. He thought preparations of a medical nature should not be excluded.

Prof. PERROT (France) wished to make an arrangement by which preparations should be available for medical use when necessary without necessitating the production of a prescription. In France there was a system by which quantities sold by druggists and dispensed by chemists were compared. Article 14 had similar conditions in view. It was desirable that the regulations should be uniform in all countries represented.

Discussion then took place as to whether Governments should be allowed to make regulations with regard to the internal traffic in drugs rather than fix general international regulations applicable by all.

Mr. KIRWAN (British Empire) thought they might be allowed to do so within the restrictions laid down by the Convention, but that this should not apply to the importation and exportation of drugs.

It was decided to proceed with the examination of Article 14, paragraph by paragraph, and to deal afterwards with the definition of drugs concerned.

Paragraph (a) was accepted.

Paragraph (b).

Surgeon-General BLUE (U.S.A.) proposed the adoption of the American amendment to paragraph (b).

Prof. PERROT (France) submitted an amendment, excluding preparations for medical use.

It was agreed to accept paragraph (b) in principle, as far as ".1 per cent of cocaine". This applied only to internal traffic.

(Paragraph (b) as a whole was not adopted).

With reference to the American proposal to add to paragraph (b) the words "or their salts or derivatives", Prof. PERROT (France) thought the addition of the term "their salts" useless from a chemists point of view, as the percentage was always determined in terms of the alkaloid and not of their salts.

Surgeon-General BLUE (U.S.A) said his amendment was aimed at the use of codein which, though not dangerous in itself, was used in the manufacture of two dangerous drugs. He would be willing to add after the words of his amendment "Liable to become habit-forming".

This suggestion appeared to meet with general approval.

Professor PERROT (France) thought it would be necessary to define the term "derivatives".

Sir Malcolm DELEIVINGNE (British Empire) said new drugs were covered by the statement at the end of Article 14. All that was necessary was an improved drafting of the words so as to fix the body which would pronounce as to whether new drugs were or were not habit-forming.

The CHAIRMAN remarked that the two drugs, encodal and diodid, were not derived from codein, were very little known, and their manufacture was limited, owing to the lack of the-bain.

It was agreed that the Committee should proceed with the discussion of paragraph (b) and attempt to reach a definition of "derivatives" at its next meeting. Delegates were asked if possible to submit proposals in writing.

The Committee adjourned until Monday, December 8th, at 10.30 a.m.

The meeting rose at 12.40 p.m.

LEAGUE OF NATIONS.

O. D. C. /S.C.F./P.V.8.

OPIUM CONFERENCE.

Sub-Committee F.

Eighth meeting, held at Geneva, December 9th, 1924, at 10.30 a.m.

M. CARRIERE (Switzerland) in the Chair.

The following were present:

M. STADE	(Danzig)
Dr. ANSELMINO	(Germany)
Surgeon-General BLUE	(U.S.A.)
M. de MYTTENMAERE	(Belgium)
Dr. PERNAMBUCO	(Brazil)
Mr. KIRVAN	(Great Britain)
Dr. L.M. BETANCES	(San Domingo)
Dr. A. H. MAHFOOZ BEY	(Egypt)
Dr. BUSTAMANTE	(Spain)
Professor E. PERROT	(France)
Professor Em. J. EMMANUEL	(Greece)
Professor Peitro SPICA	(Italy)
Dr. TSURUMI	(Japan)
Dr. COEBERGH	(Netherlands)

Professor PERROT, Rapporteur, read his report of the work done by the small Committee of Experts.

The CHAIRMAN announced that he had received a memorandum from the Polish delegation. This would be communicated to members in due course.

Professor PERROT (France), with reference to the word "derivatives", said there were many derivatives of morphine etc., which could not be classed as narcotics. The Sub-Committee had therefore proposed to change the word in the Preamble of the American Suggestions to "certain derivatives".

This proposal was accepted.

In Articles 9 to 14 the Sub-Committee was of the opinion that the word should be deleted wherever it occurred, as it was covered by the addition they proposed to make to Article 14.

Surgeon-General BLUE (U. S. A.) on behalf of the American delegation, reserved the right to submit a minority report.

This was accepted, the reserve of the American delegate being noted.

Article 14- Preamble.

Professor PERROT (France) said the Sub-Committee had agreed with the American proposal to add "delivery" after the words "respecting the manufacture, import, sale", but did not recommend the adoption of the proposal to add "and their derivatives" at the end of the paragraph.

This proposal was adopted.

Article 14 (a).

The Sub-Committee proposed to accept this without alteration.

Adopted.

Article 14 (b).

The Sub-Committee thought it was not desirable to accept the alteration proposed by the American delegation as the percentage was so small that it would not give rise to any danger. Any change would also interfere with the established usage in the matter. The Rapporteur proposed the adoption of the 1912 text without change.

The Article was adopted.

Article 14 (c).

The Sub-Committee proposed the omission of the words "containing more than .1% of heroin" from the text of the Hague Convention. Members would, however, ask for time to

consult their Governments on this question. The Sub-Committee had been unanimous in thinking it desirable that the use of heroin should be eventually completely suppressed.

Mr. KIRWAN (British Empire) could not accept this paragraph as there was no abuse in Great Britain of preparation of this nature.

Article 14 (c) was accepted, note being taken of the reserve made by the American delegate. Mr. Kirwan (Great Britain) voted against acceptance and the delegates of Brazil and Japan abstained.

The Rapporteur further proposed that the paragraph beginning "The methybenzoyl derivatives of ecgonine" (American Suggestion page 7) should be included in Article 14. The Committee agreed with this suggestion.

The paragraphs of the article would then be re-arranged so as to deal with the following subjects:-

- (a) Medicinal opium
- (b) Ecgonine (transferred from page 7 U.S.A. proposals)
- (c) Official preparations (par.(b) of Hague text)
- (d) Heroin (Par. (c) of Hague text)

He would propose the addition of a paragraph (e) containing the French proposal, separately circulated, (O.D.C/S.C.F.9(1)), the aim of which was to provide protection against any new drug.

Reservations had been made with regard to articles for commercial use (O.D.C/S.C.F/10). These dealt with ointments etc., all of which were galleonic preparations and it was provided that they should be so prepared that the drug could not be extracted for consumption. As it was not desirable to allow States to decide for themselves which preparations

would come under this heading the words "official body" would be substituted for "organ" in this proposal.

M. BETANCES (Dominican Republic) read a statement explaining his objection to paragraph (d).

This was noted by the Committee.

M. BUSTAMANTE (Spain) read a proposed draft of Article 14. It was agreed after discussion that this differed from the Sub-Committee's draft principally in containing a detailed list.

The Committee decided to confine itself to general proposals as embodied in the texts of the Hague Convention and the American proposals. It was agreed that E. Bustamante's document and eventually the report presented by Professor Perrot, should be circulated to members.

The British amendment to paragraph (e) (O.D.C/S.C.F.12) was then read.

The Committee adjourned at 12.30 p.m.

LEAGUE OF NATIONS

O.D.C/S.C.F/P.V.9.

SECOND OPIUM CONFERENCE

SUB-COMMITTEE F

NINTH MEETING

Held at Geneva on Tuesday, December 9th 1924, at 3.30 p.m.

M. CARRIERE (Switzerland) in the Chair.

The following were present:-

Belgium	M. de Myttenmaere
Brazil	Dr. Pernambuco
Egypt	Dr. A.H. Mahfooz Bey
France	Prof. E. Perrot
Germany	Dr. Anselmino
Great Britain	Mr. Kirwan
Greece	Prof. Em. J. Emmanuel
Italy	Prof. Pietro Spica
Japan	Dr. Tsurumi
Netherlands	Dr. Coebergh
San Domingo	Dr. L.H. Betances
Spain	Dr. Bustamante
Switzerland	Dr. Carrière
United States of America	Surgeon Gen. Blue

The CHAIRMAN read a statement presented at the previous meeting by the representative of the Dominican Republic. In this statement H. Betances remarked that, although aware of the necessity for suppressing the abuse of drugs by all possible means, it was necessary to beware of too hasty measures, which might do more harm than good. Heroin and morphine, for example, although

dangerous in inexperienced hands, rendered good service against certain diseases. He could not, therefore, consider them entirely useless. It was impossible for him to accept the proposal made by Professor Perrot which had for its object the complete disappearance of heroin from the pharmacopeia.

The Committee proceeded to consider the British amendment to paragraph 14(e) (O.D.C/S.C.F.12).

Mr. KIRWAN (British Empire) said it was an attempt to simplify and make more exact the procedure by which new drugs could be brought within the scope of the Convention in future. The International Health Office of Paris was mentioned because it included representatives of governments not in the League.

Surgeon General BLUE (United States of America), while agreeing with the tenor of the proposal, thought it unnecessary to leave the final decision in the hands of the Council.

Professor PERROT (France) thought the proposal contained better guarantees than those in the French motion, but agreed with Surgeon General Blue that the medical authorities alone should be sufficient.

It was pointed out that the Council was the only body possessing sufficient executive authority to give effect to a decision of this kind. As everyone seemed to agree to the principle of fixing the procedure by which the decisions of the medical bodies should be communicated to nations concerned, the Chairman asked

Mr. Kirwan, Surgeon General Blue, H. Myttenmaere and Professor Perrot to agree on a text.

After consultation, Professor Perrot submitted the following text:-

"To any new derivative of morphine or cocaine, and any other alkaloid of opium or the coca leaf, and any other narcotic drug, which may be declared in the manner following to be liable to similar abuse and productive of like ill-effects: - the existence of these ill-effects and abuses shall be declared by the Health Committee of the League of Nations, after consultation with the International Health Office. In the event of such a declaration, the decision of the International Health Office shall be communicated by the Health Committee of the League of Nations to the Council of the League, which shall inform the Governments accordingly and recommend their acceptance of it."

This was accepted as far as "like ill-effects" in the fourth line, the representatives of Japan and Holland abstaining.

Surgeon General BLUE (United States of America) made a reservation with regard to the word "new" in the first line of the motion, and with regard to the Council of the League, as the United States was not a member of the League of Nations.

Dr. ANSELMINO (Germany) associated himself with this latter reserve.

The second part of the text was then carried, the representatives of Germany, the United States and Switzerland abstaining.

M. BUSTAMANTE (Spain) made a reservation with regard to the motion. With reference to the exception to Article 14 proposed by Dr. Anselmino and M. Myttenmaere, M. Myttenmaere (Belgium) said the object was to avoid inconveniencing the legitimate commerce of druggists and pharmacists.

Mr. KIRWAN (British Empire) thought it essential from the administrative point of view to decide by name the substances which would fall under the Convention.

M. MYTTENMAERE (Belgium) agreed that a list might be drawn up by the Health Office, after consultation with Governments.

In reply to the Chairman, M. Perrot (France) said that any list would be submitted to numerous bodies, and there would therefore be ample guarantee against the unjustifiable inclusion of any substance. Nothing would be accepted until the Council of the League decided, after consultation with the medical experts, that this should be done. The proposal was then carried in the following form:-

"The Council of the League may, on the recommendation of the Health Committee of the League after consultation with the International Health Office, in the same manner as is provided in paragraph (e) above, communicate to the Contracting Powers a list or lists of preparations containing morphine or cocaine which (such as those solely for external use) cannot give rise to the drug habit on account of the medicaments with which these narcotics are compounded and which preclude the recovery of the narcotics, and these preparations may then be regarded as exempted from this Article."

Great Britain, the United States and Greece abstained.

The addition to Article 14 proposed by Dr. Perrot was then considered.

Professor PERROT (France) said the object was to enable the public to obtain certain medicines in urgent cases.

M. COEBERGH (Netherlands) thought the proposal superfluous as far as it concerned internal affairs, and liable to cause difficulties in international traffic. The situation in different countries varied in such a way as to prevent the laying down of any definite statement on this point.

M. EMMANUEL (Greece) and Mr. KIRWAN (British Empire) agreed with Mr. Coebergh.

Professor PERROT (France) said that in France the revision of the law dealing with this matter was at present under consideration, as it was found to be too severe. It would be found inappropriate in the present case also.

Professor SPICA (Italy) proposed that laudanum should also be excepted.

Professor PERROT and M. HYTTELAERE withdrew the proposal. This was, however, taken up by Professor Spica (Italy).

The motion was accepted by the casting vote of the Chairman, the representatives of Germany, Belgium, Italy, France, and Spain voting in favour - the last-named with reservations. The delegates of the British Empire, Greece,

the Dominican Republic, the Netherlands and Japan voted against the acceptance of the motion. Surgeon General BLUE (United States) abstained, as well as the representatives of Brazil, Egypt and Switzerland.

It was agreed that the Committee should attempt to find a more suitable text.

The meeting rose at 6.30 p.m., after agreeing to meet again at 3 p.m. on December 10th.

LEAGUE OF NATIONS.

O.D.C/S.C.F/P.V.10.

SECOND OPIUM CONFERENCE.

SUB-COMMITTEE F.

Draft Minutes of the 10th meeting held at Geneva on December 10th,
1924, at 3.30 p.m.

Chairman.

M. CARRIERE (Switzerland)

Present:

Dr. ANSELMINO (Germany)
Surgeon-General BLUE (U.S.A)
Dr. de MYTTENMAERE (Belgium)
Mr. KIRWAN (Great Britain)
Dr. L.M.BETANCES (Dominican Republic)
Dr. A. H. MAHFOOZ BEY (Egypt)
Dr. BUSTAMANTE (Spain)
Professor E. PERROT (France).
Professor Em. J. EMMANUEL (Greece)
Dr. TSURUMI (Japan)
Dr. COEBERGH (Netherlands)
Sir Malcolm DELEIVINGNE (Great Britain)
Dr. W. CHODZKO (Poland)
M.A. PINTO-ESCALIER (Bolivia)
Dr. E. SUAREZ-HERREROS (Chile).

The PRESIDENT of the Conference, M. ZAHLE, made a statement to the members of the Sub-Committee concerning the possible adjournment of the Opium Conference for the Christmas holidays. He said that, as Delegates from distant countries would be unable to get home for Christmas, the work of the Conference should not be interrupted for more than two or three days. Anyone who thought differently was, however, free to make suggestions. He stated that he had written to the Secretary-General to ask his opinion.

The CHAIRMAN said that he thought he would be able to submit the results of the Sub-Committee's work to the President of the Conference by the end of the week. He read a few passages from

the memorandum addressed to the Sub-Committee by the Polish delegation (letter of December 8th, 1924).

In this memorandum, the Polish Delegation gave its views on Parts I and II of Annex 1 of the Opium Advisory Committee's Report (Document A.32.1924.XI). The Delegation dealt more especially with the question of codein, of which no mention had been made by the Advisory Committee, the suppression of the manufacture and distribution of heroin, and the deletion of the reference to heroin in § 1.

Professor PERROT (France) announced that his report, which the Chairman had mentioned at the beginning of the meeting, would be prepared and distributed within twenty-four hours.

The CHAIRMAN, at M. Perrot's request, fixed the next meeting of the Sub-Committee and the discussion of the report for Monday. He enquired if Dr. Blue was ready to submit his minority report.

Dr. BLUE (United States of America) said that it would be ready at the next meeting.

The CHAIRMAN again pointed out in connection with the questions raised in the Polish Delegation's memorandum, that the figure of 450 mg. only included part of the requirements of the public as regards codein. The question of the suppression of heroin would be dealt with in Professor Perrot's report. They still had to consider the addition of a clause to Article 14, permitting certain drugs to be distributed in cases of emergency. The proposal had been adopted with the Chairman's casting vote, and they had decided to try to draft a text combining and reconciling all the different formulas proposed.

As regards articles 10, 11, 20 and 20 - F which had been

referred to the Sub-Committee by the Plenary Conference in order that their wording should be considered, he pointed out that the work was complete as regards Articles 10 and 11. The discussion turned entirely on the presence of the word "derivatives" in those articles.

Professor PETROT (France) stated that he had explained this term in the report, which would be distributed to the Delegates the following day. The word might be deleted, as all the derivatives of morphine and cocaine were specifically mentioned.

The speaker pointed out that the legal aspect of the matter was not within the competence of Sub-Committee F.

M. BUSTAMANTE (Spain) stated that, when naming the pharmaceutical preparations which might be supplied in all countries without a medical prescription, it had not been his intention to include them all; he simply wished to mention the main feature of the exceptions, for he thought that it was easier to define the exceptions than the general rule. He had, moreover, not attempted to give the exact names in every country; he had differentiated between preparations for internal use- for which maximum amounts of the drugs they were dealing with had been fixed- and preparations for external use, not containing cocaine- in which logically, he had allowed a larger percentage of opiates, as the system did not absorb the drugs so readily in that case.

M. MYTEEMAERE (Belgium) showed what might be the unexpected results of the proposals if the text were not amended as he suggested.

Professor PETROT (France) thought that pharmaceutical chemists should be given more liberty, in order that they might be able to deal with cases of emergency.

M. CHODZKO (Poland) was of opinion that there could be no question of cases of emergency so far as cocaine was concerned as its place could easily be taken by novocaine. He agreed with Professor Perrot that pharmaceutical chemists should be given fuller liberty in dealing with officinal preparations; he proposed that the system in use in his country should be adopted, where registers were kept showing the sales of cocaine and the date of delivery.

Mr. KIRWAN (Great Britain) proposed the following amendment: "The Public may purchase without a medical prescription any quantity whatsoever of preparations of the nature specified in Document 10, and limited quantities of other narcotic drugs mentioned in the amendment, which may or may not be liable to abuse." He stated that the British Delegation was unable to support the amendment proposed by Professor Perrot.

M. BETANCES (Dominican Republic) thought that Professor Perrot's proposal was a dangerous one, as the pharmacist would be given the rights of the doctor and vice versa.

The CHAIRMAN reminded the members that any drugs sold would be entered in a special register.

A discussion arose on this point between M. Betances, Professor Perrot and the Chairman.

Professor EMMANUEL read the following proposal which he and Professor Perrot had drafted: "The following opiated officinal preparations may be delivered to the public, on the responsibility of the chemist, without a medical prescription and as medicines for urgent use, but only in maximum doses corresponding to 50 centigrammes of officinal opium and subject to the book-keeping regulations with regard to narcotics: tincture of opium, Dover powder and Sydenham laudanum."

M. TSURUMI (Japan) pointed out that it was very difficult to define cases of emergency.

Sir Malcolm DEBIVINGNE summarised the objections of the British Delegation to Professor Perrot's proposal. He regretted the amendment to Article 14 of the Hague Convention, the application of which had given rise to great difficulties in England; the reopening of the question might cause all sorts of dissatisfaction and fraud.

The CHAIRMAN thought that cases of fraud must be very infrequent, and put M. Perrot's proposal to the vote. Six Delegates voted in favour of the proposal and four against it, two abstaining.

The proposal was adopted.

The CHAIRMAN informed the members that the part of the Norwegian proposal concerning ecgonine which referred to import certificates was not within the competence of Sub-Committee F.

A report of the Mixed Sub-Committee of the Health Committee and the Advisory Committee on the Traffic in Opium contained a series of Resolutions (See Document A.32), of which No.VI read as follows: "The Mixed Sub-Committee considers it necessary that the State should forward periodically to the Secretariat of the League of Nations a list... etc(Sec A. 32 as far as the word "provisions"). The Polish Delegate had proposed to amend this resolution. No decision had been taken on the matter as the reports in question had not been dealt with. It was understood that those lists would be communicated regularly to the States, in accordance with arrangements made by the Secretariat.

The meeting was adjourned at 5 p.m. and the discussion of the report was fixed for Monday, December 15th, at 10.30 a.m.

LEAGUE OF NATIONS

SECOND OPIUM CONFERENCE.
Sub-Committee F

Eleventh Meeting

held at Geneva on Monday, December 15th,

at 10.30

Provisional Minutes

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Dr. CARRIERE (Switzerland) in the Chair.

Present:

- Dr. ANSELMINO Germany
- Surgeon-General BLUE U.S.A.
- Dr. de MYTTENMAERE Belgium
- Dr. PERNAMBUCO Brazil
- Mr. KIRWAN British Empire
- Dr. L.M. BETANCES Dominican Republic
- Dr. A.S. EL GUINDY Egypt
- Dr. BUSTAMANTE Spain
- Prof. E. PERROT France
- Dr. Em. J. EMMANUEL Greece
- Prof. SPICA Italy
- Dr. TSURUMI Japan
- Dr. COEBBERGH Netherlands
- Dr. CARRIERE Switzerland (Chairman)

-----oOo-----

The CHAIRMAN announced that the Plenary Conference had referred the discussion of the question of hashish to the sub-Committee. He proposed that a small sub-sub-committee should be appointed at the afternoon meeting to deal with it.

The Committee proceeded to the examination of the draft report prepared by Professor Perrot (O.D.C./S.C.F/14)

Surgeon-General BLUE (U.S.A.) pointed out that he had proposed the inclusion of codein for the purpose of statistics. He wished to be free to raise the subject in a plenary session. It was agreed to introduce a sentence into the Report pointing out the purpose of the proposed introduction.

Mr. KIRWAN (British Empire), with reference to the paragraph beginning "The leaves of erythroxyton coca"(p. 2.) proposed the addition of the words "and their varieties" after "hieronymus". He also suggested the suppression of the word "vegetable" in the third line of this paragraph.

Both these suggestions were adopted.

It was pointed out that the addition proposed by the American Delegate to Article 14 mentioned on page 2 relative to statistics of cedein had also been suggested by the Advisory Committee, and the Committee agreed to add words to this effect in their draft report.

The report was adopted with these alterations, as far as "Article 14" (on page 3)

Dr. GUINDY (Egypt) proposed that the word "re-export" should be added to the paragraph quoted on page 4. It was necessary to provide for statistics in cases where drugs whose admission was refused entry into a country or which having been imported were subsequently returned i. e. re-exported. He pointed^{out}/that the term export might not be considered in all countries as including "re-exports".

Surgeon-General BLUE, M. de MYTTENMAERE and the Chairman agreed with this proposal.

Mr. KIRWAN (British Empire) and Professor FERROT thought the addition unnecessary. It was finally agreed to add a proviso to the effect that the Article covered re-exportation in such cases.

Dr. GUINDY (Egypt) suggested the substitution in the phrase "the use of opium and certain opium products". of the expression "all habit-forming products of opium"for "certain opium products."

Professor FERROT (France) thought there was no material difference. It was agreed to maintain the text as it stood.

The Report was adopted as far as the paragraph ending "which might serve industrially for its recovery" (Page 4)

Surgeon-General BLUE (U.S.A.) thought the percentages allowed in Article (c) (Page 5) should be reduced in order to prevent recovery of drugs from preparations.

The CHAIRMAN pointed out that this view could be stated in a minority report which Surgeon-General Blue had announced he would present.

Dr. de MYTTEWAERE (Belgium) proposed the suppression of the words "sufficient guarantee" in the following paragraph. It was agreed to delete them and to redraft the paragraph accordingly.

Professor FERROT (France), dealing with paragraph (d) said he had been informed by his Government that as far as France was concerned there was apparently no occasion for a special treatment for heroin.

Mr. KIRWAN (British Empire) agreed with this view and asked that the following text should be inserted in the report.

"The British representative stated that he was unable to agree to the inclusion in the Convention of preparations containing less than 0.1% of heroin because there was no evidence of any harm being caused in Great Britain by these preparations and because their inclusion could, in the view of his Government, have very little effect on the illicit international traffic in drugs".

The Article was accepted with the above reservation and it was agreed to incorporate Mr Kirwan's statement in the Report.

Dr. ANGELMINO (Germany) proposed that the word "heroin" should be replaced throughout the Report by its chemical name "diacetyl-morphine (diamorphine, heroin)" This suggestion was adopted.

Surgeon-General BLUE (U.S.A.), discussing the paragraph at the end of page 6, said the Health Committee of the League of Nations should be the deciding body, but would no doubt consult the International Health Office before taking action. He proposed the deletion of the words "of the International Health Office" appearing in the fourth line from the end of the proposed text of the new article (E)

Professor FERROT (France) remarked that the function of the International Health Office as a consultative body had been accepted by the Health Committee in previous discussions.

The CHAIRMAN said in practice the two bodies would probably agree on any steps to be taken.

Mr KIRWAN (British Empire) called attention to the proposal that the Advisory Committee on Opium should be consulted as well as the International Health Office. This was made in the Note from the British Delegation (O.D.C./ S.C.F. 15). He therefore proposed the addition of the phrase "and with the Advisory Committee". He also called attention to the last paragraph of this document which provided a procedure for deciding the action to be taken with regard to new drugs.

Mr KIRWAN's suggestion was rejected, Great Britain and Germany voting in favour of it and the remaining members against.

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It, was agreed that the Committee should meet again at 3.30 p.m., members sitting also on Committee E agreeing to accept the action of the Sub-Committee.

The meeting terminated at 12.30.

LEAGUE OF NATIONS

SECOND OPIUM CONFERENCE

Sub-Committee F

Draft Minutes of the 12th Meeting held at Geneva
on December 15th, 1924. at 3.30 p.m.

Chairman: M. CARRIERE (Switzerland)

Present: Dr. ANSELMINO (Germany)
Surgeon-General BLUE (United States of America)
Dr. MYTTENMAERE (Belgium)
Mr. KIRWAN (British Empire)
Dr. L.M. BETANCES (Dominican Republic)
Dr. A.H. MAHFOOZ Bey (Egypt)
Dr. Mohammed S.A. EL CUINDY (Egypt)
Dr. BUSTAMANTE (Spain)
Professor FERROT (France)
Dr. TSURUMI (Japan)

At the beginning of the meeting, Professor FERROT pointed out that in the Minutes of the meeting held on Tuesday, December 9th, Dr. Betances' remarks had been inaccurately reported.

Dr. BETANCES confirmed this statement and declared that he was in favour of M. Ferrot's proposal, which dealt with the impossibility of excluding heroin entirely from the pharmacopœia.

After discussion by the various members of the Sub-Committee, the revised text of paragraph (e) of Article 14 was read.

General BLUE (United States) maintained the objection which he had raised the same morning: he thought that the article as now drafted complicated matters; and that if "l'Office International d'Hygiène Publique," which represented forty States, and the Health Committee, which represented the whole League, arrived at a decision, that decision should be regarded as final.

The CHAIRMAN pointed out that there was an agreement between the Health Committee and "l'Office International d'Hygiène" in

Paris, which acted as a sort of advisory committee to the Health Committee.

General BLUE (United States) declared that he had no objection to the Health Committee asking the advice of "l'Office International d'Hygiène", but thought that any decision must be needlessly delayed and complicated if it was necessary to submit it to ten States for approval.

Professor FERROT did not see the necessity of any fresh decision being approved by ten Powers; directly it was notified to the States by the League, it should automatically become part of the Convention.

Dr. de MYTTENMAERE (Belgium) declared that if a decision was ratified by a majority of "l'Office International d'Hygiène Publique" which included representatives of forty States, it was unlikely that ten States would not be found to confirm the opinions of their representatives.

Mr. KIRWAN (Great Britain) said that it was no use to declare that any drug should be included in the list of harmful products, unless this decision were accepted by a certain number of States. He agreed with Dr. Myttenmaere.

General BLUE (United States) did not agree with Mr. Kirwan, but thought that instead of the execution of the decision taken by the two organisations in question being delayed by long and unnecessary procedure, it should come into force upon notification by the Council to the Governments.

The CHAIRMAN suggested that they should not say exactly when a decision would become part of the Convention, or as an alternative that, instead of figures, they should insert the words "the majority of the Powers".

General BLUE (United States) asked, after some discussion, that No. 10 should be allowed to stand.

The CHAIRMAN read the text:

"Any Contracting Party accepting the decision shall notify its acceptance to the Secretary-General of the League and, as soon as ten Powers have done so, the product in question shall be regarded as included in the Convention, so far as such Contracting Parties are concerned."

which was put to the vote.

The text of paragraph (e) of Article 14, as amended, was adopted by six votes to three.

Professor FERROT (France) resumed the reading of his Report.

Dr. de MYTTENMAERE (Belgium) proposed the deletion on page 7 of the words "preparations intended for external use".

Dr. BUSTAMANTE (Spain) expressed a fear that, as the report referred only to medicinal opium, morphine, heroin and cocaine, it might be thought that there were no other products which could give rise to abuse. He would suggest drawing up a list of exceptions for cases not covered by the Convention.

Professor FERROT (France) concluded his Report and stated that the last paragraph would be discussed at the Plenary Conference, which would decide as it thought fit.

General BLUE (United States) thought that a quarter of the quantities mentioned in that paragraph would be sufficient, that is to say, 12 or 15 centigrammes. He pointed out that opium was only a palliative.

Dr. MAHFOOZ Bey (Egypt) thought it advisable to exempt Dover powder, which was only emetic and would never be taken in large quantities by the patient.

M. FERROT (France) proposed to refer the matter to the Plenary meeting for decision.

M. KIRWAN (Great Britain) asked that in the last paragraph of Professor Ferrot's report, in the reference to the opposition shown, the name of the British Delegation might be inserted after that of Dr. Betances.

He proposed the addition of the following words:

"and of the British Delegate, who directed attention to the opportunity which would be given to addicts of obtaining from pharmacies a considerable number of products, which might give rise to abuse".

Professor PERROT (France) drafted a paragraph concerning the necessity of employing the same terms in the various articles:

"The Sub-Committee directs the attention of the Drafting Committee of the Convention to the desirability of defining certain terms and of using identical terms, especially in the case of words which are repeated: sale, distribution, delivery, in the drafting of Articles 9, 10 (b), 10 (c), 11 and 14."

The CHAIRMAN enquired the opinion of the sub-Committee as to the desirability of adding a clause to Article 14, requesting the States to communicate any fresh discoveries concerning harmful drugs to the League. The suggestion originated in the Polish memorandum.

Professor PERROT (France) thought that provision was already made for this in the paragraph, but General BLUE advocated the insertion of a special recommendation and Mr. KIRWAN was of the same opinion and even suggested that a resolution might be passed.

Professor PERROT (France) declared, in response to the Chairman's request, that he would add a paragraph to this effect in his Report.

The CHAIRMAN reminded the members that the Conference had referred the question of hashish to the sub-Committee. Before opening the general discussion on the matter, it would be best to appoint a small sub-Committee to deal with it. He asked the Delegates of the British Empire, Chile, Egypt, France, Greece, Japan, Turkey and the United States to meet under the chairmanship of Professor Perrot, the French Delegate.

The meeting rose at 5 p.m. and the general discussion was adjourned till Tuesday, December 16th, at 3.30 p.m.

LEAGUE OF NATIONS.

O.D.C./S.C.F./P.V.13.

SECOND OPIUM CONFERENCE.

Sub-Committee F.

Provisional Minutes of the 13th Meeting, held at Geneva
on Tuesday, December 16th, 1924.

Dr. CARRIERE (Switzerland) in the Chair.

There were present:

Belgium	M. MYTTENMAERE
Brazil	Dr. PERNAMBUCO
British Empire	Mr. PERRINS
Chile	Dr. SUAREZ HERREROS
Dominican Republic	Dr. BETANCES
Egypt	Dr. GUINDY
France	Prof. PERROT
Greece	Dr. EMMANUEL
India	Mr. J.C. WALTON
Italy	Prof. SPICA
Japan	Dr. TSURUMI
Netherlands	Dr. COEBERCH
Spain	Dr. BUSTAMANTE
Switzerland	Dr. CARRIERE (President)
Turkey	Noureddin BEY
United States of America	Surgeon-General BLUE.

Dr. EMMANUEL (Greece) read a statement emphasising the importance of the question of hashish, which, in his opinion, was as grave as that of opium. He urged the adoption of measures going to the root of the problem.

Dr. PERNAMBUCO (Brazil) also thought that hashish should be dealt with by the Conference. It was more dangerous than opium.

The CHAIRMAN thanked these delegates for their statements.

Prof. PERROT (France) explained the extent of the problem. Hashish was obtained from the following tops of the female plant of cannabis sativa and its different varieties. He described the method of preparation and the extent to which the plant was

cultivated. The danger was not great in Europe, but concerned mainly Central Africa and Egypt.

Prof. PERROT indicated the position adopted by various countries with regard to the cultivation of the drug, and pointed out that the Committee had to state whether in its opinion *Cannabis Sativa* and its preparations should be included in the Convention.

The CHAIRMAN, opening the discussion, remarked that only the technical aspects of the question were to be dealt with by the Committee; other aspects, particularly the question of competence which would probably arise, ought to be discussed by the Plenary Conference. The report of the Committee would not commit delegations on the question of competence but would only be of a technical and scientific character.

Dr. GUINDY remarked that the American proposals had been sent to Committee after a decision on competence had been taken, and thought this was the case with all questions.

The CHAIRMAN asked whether the Committee thought it desirable that hashish should be included in the Convention.

Dr. MYTTENMAERE (Belgium) agreed to its inclusion, pointing out that the question only arose for his country in the Congo.

Surgeon-General BLUE (U.S.A.) also desired the inclusion of hashish.

Dr. TSURUMI (Japan) and Dr. BUSTAMANTE (Spain) agreed, the latter making a reservation as regards medical and scientific use.

NOUREDDIN BEY (Turkey) asked what regulations would be made with regard to the cultivation of hemp for textile purposes.

M. PERRINS (British Empire) asked for an exact definition of the term hashish.

Prof. PERROT (France) thought it desirable to control cannabis indica, which only differed from cannabis sativa, of which it was a variety, by its activity. He suggested some such text as "by Indian hemp (hashish) is understood the dried tops of the flowering female plant of cannabis sativa and its varieties, whatever their names". The resin, which was the most dangerous product of this plant, could not be extracted without first drying the plant.

The CHAIRMAN suggested that the Committee might perhaps consent to a limited control at present; complete suppression could be discussed later. It was agreed that Professor Perrot, in consultation with the representatives of India, Turkey and Egypt, should present an agreed text at the next meeting.

The meeting rose at 1 p.m.

LEAGUE OF NATIONS.

O.D.C./S.C.F./P.V.14.

SECOND OPIUM CONFERENCE.

SUB-COMMITTEE F.

Provisional Minutes of the Fourteenth meeting,
Held at Geneva, Wednesday, December 17th, 1924, at
3.30 p.m.

Dr. Carriero (Switzerland) in the Chair.

Present:

Dr. Inselmino	Germany
Surgeon-General Blue	United States of America
Dr. de Myttenmaero	Belgium
Dr. Pornambuco	Brazil
Mr. Perrins	British Empire
Dr. Bôtancos	Dominican Republic
Dr. Mahfooz Bey	Egypt
Dr. Guindy	Egypt
Professor Perrot	France
Dr. Emmanuel	Greece
Mr. Walton	India
Professor Spica	Italy
Dr. Tsurumi	Japan
Dr. Coebergh	Netherlands
Dr. Chodzko	Poland
M. Neuroddin Bey	Turkey

The CHAIRMAN recalled that a paragraph had been included in the Protocol of the Hague Convention relative to the examination of the problem of hashish and its regulation if it should be necessary.

Professor PERROT (France) then read a note prepared to serve as a basis for discussion. (O.D.C./S.C.F./17).

Mr. Perrins (British Empire) wishing to raise certain textual points, it was agreed that they should be settled after the meeting in consultation with the Chairman and Professor Perrot.

Professor PERROT (France) dealing with paragraph (a) of his conclusions said that the English Delegate had asked that the definition should not be made so absolute.

Mr. PERRINS (British Empire) stated that he had made the objection from an administrative point of view. Male and female plants were intermixed in bhanga; the male plant had no effect, but its omission from the definition would raise difficulties if it were desired to prosecute people dealing in the drug. He thought the phrase "rich in resin", which had been suggested to replace "resinous" too vague, and recommended the adoption of the definition of the English Pharmacopoeia.

Professor PERROT (France) said the object of the definition was to cover all the many varieties of cannabis sativa. He would agree with the English proposal if the words "under whatever name they may be designated in commerce" were added.

The Article was then adopted as follows:-

"By Indian hemp is understood the dried flowering or fruiting tops of the pistillate plant of cannabis sativa, from which the resin has not been extracted, under whatever name they may be designated in commerce".

The Committee then proceeded to consider paragraph (b).

Professor PERROT (France) pointed out that this was a most serious question, as the resin was not put to any medical use. The English Delegate had observed that medical and scientific use still remained possible, while the Delegate for India had not been able to make a decision, preferring to await the result of an investigation being conducted by the League of Nations. In the meantime the Indian Delegate was not prepared to accept so severe a text.

Noureddin Bey (Turkey) proposed the addition of the names "Essra", as this was the name under which the drug was known in his country, among the denominations.

Dr. FERRELLBUCO (Brazil) proposed the addition of "diamba" for similar reasons.

It was agreed to include these two names.

The CHAIRMAN asked whether members were in favour of the absolute interdiction of resin.

All members present voted in favour of this, with the exception of Mr. Ferrins (British Empire), Dr. Cocbergh (Netherlands) and Mr. Walton (India) who abstained.

Mr. FERRINS (British Empire) asked that the following text should be inserted in the report:-

"The British Delegation, whilst it is anxious that all drugs of addiction shall be placed under the strictest national and international control, is not in a position without further enquiry to accept the conclusions contained in Paragraph (b)".

Mr. Walton (India) associated himself with this reservation.

The CHAIRMAN remarked that the decision taken by the Committee was purely technical and would have only that character when presented to the Conference,

With reference to Paragraph (c) which was then considered, the Chairman said it should be understood that raw resin was excluded. He suggested that Paragraph (c) should be put in front of (b) and that the two should form one paragraph. (b) would thus become an exception to (c).

The new Article (b) was then accepted with the same abstentions and reservations as before.

Professor FERRON (France) was asked to prepare a report embodying the alterations and reserves formulated in the course of the meeting. The Chairman thanked members for their collaboration in the work of the Committee.

Dr. GUINDY (Egypt) proposed a vote of thanks to the Chairman. This was carried unanimously.

The meeting rose at 5 o'clock.

LEAGUE OF NATIONS.

SECOND OPIUM CONFERENCE.

SUB-COMMITTEE F.

Fifteenth meeting held on Friday, January 25rd, 1935
at 3 p.m.

Dr. CARRIERE in the Chair.

Present:

Dr. ANSELMINO (Germany)
Dr. L.L. BETANCES (Dominican Republic)
Dr. COEBERGH (Netherlands)
Dr. BUSTAMANTE (Spain)
Dr. GOTUZZO (Brazil)
Dr. A.S. EL GUINDY (Egypt)
Dr. A.H. MAHFOOZ BEY (Egypt)
M. de MYTTENMAERE (Belgium)
Professor NOUREDDIN BEY (Turkey)
Dr. PERRINS (British Empire)
Professor PERROT (France)
Professor SPICA (Italy)
Dr. TSURUMI (Japan)
M. BLANCO: secretary.

Work of the Sub-Committee

The CHAIRMAN reminded Members that, before the adjournment of the Conference, the Sub-Committee had concluded its reports on the following points referred to it by the Conference:

1. Legitimate requirements as regards opium, coca leaves and their alkaloids.
2. Various technical points arising out of the revision of the Hague Convention;
3. The question of Indian Hemp (Hashish)

These reports had been submitted, as provisional reports, to the President of the Conference. During the adjournment of the Conference fresh facts may have appeared and fresh questions have arisen which would necessitate the revision of the reports. It was desirable to examine them afresh, in case they required amendment.

The Sub-Committee also had to discuss the question of its representation on the Co-ordination Committee. From the statements made by the President of the Conference at the Plenary Meeting, it was understood that the Sub-Committees would submit the names of their representatives to him. Each Sub-Committee would also be represented by its Chairman.

The Sub-Committee decided, after discussion, first to revise its reports and then to consider the question of its representation on the Committee of Co-ordination.

Legitimate requirements as regards Opium, Coca leaves and their alkaloids.
Report of the Chairman. (O.D.C. 59)

The CHAIRMAN referred to the circumstances in which the question of the legitimate requirements of the various countries as regards narcotic drugs had been submitted to the Committee. No figure would be named in the Convention. The

The amount of 450 milligrammes was simply a suggestion for the time when rationing might be possible. This was the view of the Swiss Government, which regarded the figure simply as a basis for future calculations.

Report of Professor Perrot. (ODC. 71)

Dr. BETANCES (Dominican Republic) asked under what form the Plenary Conference would discuss Professor Perrot's report and the Minority Report submitted by Surgeon General Blue. He asked whether both the reports would be submitted by the Rapporteur himself.

The CHAIRMAN explained that, in accordance with precedent, the Minority Report would be annexed to the Sub-Committee's report. Surgeon General Blue would be given facilities for submitting his reservations to the Plenary Conference.

Codein; Proposal by the French Delegation. (O.D.C./S.C.F./20).

Professor PERROT (France), Rapporteur, stated that he had devoted the closest attention to the American Delegation's remarks on codein. The French Government's view of the matter was different from that of the Sub-Committee. There was no question of adding codein to the list of products covered by the Convention. There would be a risk, however, of relinquishing control over a large quantity of raw materials if the quantities of codein manufactured were not known. The French Delegation, therefore, proposed the following Resolution:

"In order to exercise as strict a control as possible over the manufacture of the narcotic alkaloids of opium and the coca leaf, the High Contracting Parties undertake to adopt all possible measures enabling them to ascertain the quantity of these alkaloids transformed into non-narcotic derivatives".

This proposal might be embodied in a recommendation.

M. de MYTTEMAERE (Belgium) thought that the French proposal did not go far enough. Very few countries manufactured the alkaloids in question. The speaker wondered what would be the position of a country like Belgium if it had to enforce this recommendation. It would be possible to import large quantities of codein into Belgium, and this would mean that all their figures would be wrong. They must have accurate figures if production was to be limited. It might be advisable to extend the proposal as follows:

"In the case of international traffic, such substances shall be subject to import and export licences".

The CHAIRMAN wished to correct a misunderstanding. The French proposal referred to the information to be furnished later to the Central Board concerning requirements in regard to narcotic drugs. There was no question of the import or export trade.

Professor LEROT (France), Rapporteur, confirmed the Chairman's interpretation. His proposal was intended, on the one hand, to make it possible to establish statistics, and, on the other, to prevent false statements by factories as to the quantities of morphine used. What was wanted was a fresh guarantee, a guarantee which they had not had before. It was to be feared that the extension of the proposal, as suggested by the Belgian Delegate, would place unnecessary difficulties in the way of commerce.

M. de MYTTEMAERE (Belgium) asked whether it would not be possible, at the end of the French proposal, to add the words "and the international distribution of the same". They must have some means of checking exports, if the international movement of goods was to be controlled.

Professor PERROT (France), Rapporteur, did not think that the point in question presented any difficulty. If a factory imported 10,000 kilogrammes of opium, it should derive from it about 1,000 kilogrammes of morphine. If the sales registers recorded only 400 kilogrammes of morphine, the inspector would have a right to demand the production of the purchase registers and to extend his investigations to wholesale firms. As regards goods sent abroad, there would be a regular control of exports. It would be sufficient, therefore, simply to exercise a right of supervision over non-narcotic derivatives.

M. de MYTTELMÆRE (Belgium) stated that the Belgian legislation provided all the necessary guarantees, as persons in possession of drugs were obliged to state the quantities transformed as well as the quantities sold.

Professor PERROT (France), Rapporteur, explained that what was wanted was the general introduction of this system.

The CHAIRMAN, in summing up the question, declared that the French proposal was designed simply to facilitate the establishment of statistics and to prevent evasion. Manufacturers' returns for manufactured products must correspond with the quantities of raw materials, but codein would not be subject to any further control. The proposal could only be embodied in a recommendation; otherwise it would have the effect of bringing codein under the Convention, and this must be avoided.

The sub-Committee adopted the French Delegation's proposal,
Dr. TSURUMI (Japan) reserving the right to express an opinion on the matter at a later date.

Question regarding the word "derivative".

Professor PERROT (France), Rapporteur, referred to Surgeon-General Blue's remarks on the word "derivative".
The representatives of Sub-Committee I. on the Coordination

Committee would discuss with the representatives of the other Sub-Committees the question as to whether the word "derivative" was to be retained in the Convention.

Heroin.

Professor PERROT (France), Rapporteur, reminded Members that the Sub-Committee had not adopted the American proposal for the suppression of heroin. It had, however, dealt with this product separately, and agreed that it should be made subject to even stricter regulations than were provided for in the 1912 Convention. The question would be brought before the Plenary Conference.

Definition of the coca leaf and cocaine.

Professor PERROT (France), Rapporteur, referred to the fact that the Sub-Committee had agreed to the inclusion of synthetic cocaine in the scientific definition of cocaine.

Dr. ANSELMINO (Germany) pointed out that this definition included natural, synthetic and semi-synthetic cocaine.

Proposal by the French Delegation (O.D.C/S.C.F/21).

Professor PERROT (France), Rapporteur, stated that the French Delegation's proposal had been submitted as the result of the representations made by French chemists who had emphasised the necessity of mentioning synthetic laevo-cocaine. The synthetic production of cocaine was new and had not yet been industrialised. It would be advisable, however, with a view to the future, and in order not to have to revise Article 14 later, to mention racemic drugs in the Convention, as they might contain narcotics.

This passage in the report had been criticised by Sir Malcolm Delevingne, who had sent him the following letter on the subject:-

Home Office, Whitehall, S.W.1
6th January 1925.

Dear Professor Perrot,

I have consulted our Government Chemist on the subject of the definitions proposed by Sub-Committee "F" in document

O.D.C. 71. With regard to the definition of intermediate products on page 5 of the French text, he writes to me as follows:-

"In crude cocaine there are derivatives of laevo-ecgonine which contain acid radicals (such as cinnamyl) other than benzoyl which is characteristic of cocaine. It is true that these bodies containing other acid radicals can be produced synthetically from laevo-ecgonine in the laboratory. It might be argued, however, that as these occur naturally in the plant, there is no direct proof that they have been obtained from laevo-ecgonine. It would seem that the sense would be covered more nearly by the use of the term "derivable" instead of "derived" from laevo-ecgonine, so that if one of these bodies mentioned, which contain an acid radical other than benzoyl, were used, it could be maintained without controversy that it was capable of being derived from the laevo-ecgonine, it being unnecessary to say whether this transformation was a natural one in the plant or a synthetic one as in the laboratory."

I should be very glad if you would consider this criticism before the Conference re-assembles next Monday and will let me have your views on the point.

Yours sincerely,

(Signed) MALCOLM DELEIVINGNE.

Dr. ANSELMINO (Germany) stated that he had proposed to Sir Malcolm Delevingne that the words "or other products" should be deleted. This was also the opinion expressed by Dr. Coebergh in a letter to Sir Malcolm.

The letter in question was read; it is as follows:-

Geneva, January 17th, 1925.

In reply to your letter of January 5th, concerning the proposals submitted by Sub-Committee F in Document O.D.C. 71, may I say that the French text is not quite clear. I think, however, that the last part of this definition is not intended to imply that derivatives or possible derivatives of laevo-ecgonine are or may be manufactured from this substance, but that its object is to include all substances used in conjunction with laevo-ecgonine, whether natural or synthetic, by means of which the drug can be recovered. For this reason I should prefer to delete the words "autres produits" in the French text. In this way all the derivatives which you wish to cover would be included."

M. de MYTTEBALLEE (Belgium) stated that the effect of such deletion would be to exclude racemic drugs from the definition, which was contrary to the French proposal.

Professor PERROT (France) (Rapporteur) asked Members whether they did not think it was advisable to add racemic cocaine and racemic ecgonine, at all events in the form of a recommendation. When laevo- or dextro-products were synthetically obtained, the racemic product was not always found, but there was the likelihood of its being discovered.

Dr. COEBERGH (Netherlands) thought that it was impossible to introduce into the text of the Convention the name of a product which was unknown and which might never be known.

Dr. EL GUINDY (Egypt) asked what objection there was to this.

The CHAIRMAN replied that a Convention must be based on existing facts.

Professor PERROT (France), Rapporteur, declared that he would not insist upon his proposal, as he felt that what he wanted was covered by the Article of the Convention referring to new products which might be recognised as harmful. He added that the present discussion was not without value, as it had elucidated certain points.

The CHAIRMAN was also of opinion that the article of the Convention referred to satisfied the requirements of Professor Perrot, whose remarks would be mentioned in the Minutes. If the racemic product ever became a commercial product, it would automatically come under the Convention.

The Sub-Committee decided to delete the words "other products" in the passage of the report referred to.

Dr. ANSELMINO (Germany) asked that the figure 44' might be changed to 45!6" as the latter corresponded to the most recent experiments.

Article e. Proposal by the French delegation.

(O.D.C/S.C.F/19).

Professor PERROT (France), Rapporteur, stated that the drafting authorities at the French Ministry of Foreign Affairs had pointed out that the text as it stood was not clear. The object of the amendment which he proposed was to remedy this defect without in any way altering the sense. In addition, in the new text, the words "containing morphine, heroin or cocaine" would be replaced by the words "containing the narcotic alkaloids referred to in the present Convention."

At the suggestion of Mr. PERRINS (British Empire), the text was amended so that the procedure laid down for new products not to be included in the provisions of the Convention would be exactly the same as for the new drugs to be covered by the Convention.

Medicines for urgent use: Exemption for
medical prescriptions.

Professor PERROT (France) Rapporteur, stated that Surgeon-General Blue had not proposed to suppress the article concerning the delivery of opium for medical purposes without a prescription, but to reduce the amount which might be delivered by the chemist from 50 centigrammes to 12 centigrammes.

After some discussion between Professor NOUREDDIN-BEY (Turkey), the RAPPORTEUR, M. de MYTTEMAERE (Belgium), Dr. MAHFOOZ-BEY (Egypt) and the CHAIRMAN, M. de MYTTEMAERE proposed that 25 centigrammes should be adopted as the amount, a figure which would no doubt be accepted by the American Delegate.

Professor PERROT (France), Rapporteur, emphasised the fact that this figure was only intended as a guide for the Governments, who were still free to prohibit entirely the delivery of opium for medical purposes without prescription.

The Sub-Committee decided to substitute 25 centigrammes for 50 centigrammes.

On the proposal of Dr. COEBERGH (Netherlands) the words "without prescription" were deleted as being superfluous in the sentence "without medical prescription on the responsibility of the chemist, and as medicines for urgent use".

After various observations relating to drafting questions, the Sub-Committee adopted Professor Perrot's report.

It was understood that this report would be amended on the lines of the various observations submitted. The Sub-Committee would meet again before the Committee of Co-ordination began its work, in order formally to adopt the report in its final form.

Indian Hemp (hashish): Professor Perrot's Report
(O.D.C. S.C.F./17. (I))

Professor PERROT (France) Rapporteur, stated that, as regards definitions, the British delegation's suggestions had been followed. The definitions had been taken from the British pharmacopoeia.

After discussion between various members of the Sub-Committee, the Sub-Committee decided to substitute the following text for the definition of page 3 of the Report:

"The dried flowering tops or fruit of the female plant of cannabis sativa L. from which the resin has not been extracted under whatever denomination it may be employed in commerce".

The omission of the word "dried" might have had an adverse effect on the production of hemp fibre.

In reply to a question by Professor PERROT (France, the Rapporteur, Mr. PERRINS (British Empire) stated that he did not intend to insist on the British reservation in the last paragraph, but that he was unable to speak for the Indian Delegation.

The report was adopted with various formal amendments.

It was understood that the Sub-Committee would adopt the report in its final form, together with the first report at a subsequent meeting.

Representatives of Sub-Committee "F" on the Committee of Co-ordination.

The CHAIRMAN reminded Members that the object of the Co-ordination Committee, was to weld together the various proposals of the different Sub-Committees into a homogeneous whole and that its work would be quite distinct from that of the Drafting Committee. He understood, from what has been said at the last meeting of the Plenary Conference, that each of the Sub-Committees would be represented by its Chairman and two

... ..

other

other Delegates. He thought that the Members of the Sub-Committee best fitted to represent it were those who had taken the most active part in its work, namely, the Belgian Delegate and the French Delegate, the Rapporteur.

Mr. PERRINS (British Empire) referred to the observations made at the Conference on the question of nationality: it might happen that one country would have several representatives on the Committee of Co-ordination, while other countries would have none at all. He enquired whether the Secretary of the Sub-Committee could inform them what Delegates had already been chosen by the other Sub-Committees.

The CHAIRMAN pointed out that, when the question of nationality was brought up, it was stated that the Members of the Committee of Co-ordination would not represent any particular State but their respective Sub-Committees.

Mr. PERRINS (British Empire) said that the question had been discussed at length in Sub-Committee "A", which had decided that the representatives of the six Sub-Committees could discuss not only questions which concerned their own Sub-Committees, but also questions submitted by all the other Sub-Committees. It was desirable, therefore, as far as possible, to take nationality into account.

The CHAIRMAN thought that if this were the case, they should know exactly what the work of the Committee of Co-ordination would be. His personal view was that its task was simply to eliminate any inconsistencies between the different proposals. If it was also to have power to settle certain disputed questions, it would constitute a "super-commission", and this would mean that all the discussions which had taken place in the various Sub-Committees would be brought up again before it.

M. de MYTTENMAERE (Belgium) agreed with the Chairman's view: the members of the Co-ordination Committee were simply mandatories from their respective Sub-Committees and were not competent to make any fundamental changes in the decisions taken by the latter. Only the Plenary Conference could make such changes.

Professor FERROT (France) supported the Belgium Delegate's remarks.

M. BLANCO (Secretary of the Sub-Committee) mentioned that the British Delegation had submitted a proposal (C.D.C.60) concerning the composition of the Committee of Co-ordination and that an amendment to this proposal had also been submitted (O.D.C. 93).

Professor KOUREDDIN BEY (Turkey) thought that it had been decided that each of the Sub-Committees should submit the names of its representatives to the President.

The Sub-Committee decided to nominate representatives to sit on the Committee of Co-ordination.

M. PERRINS (British Empire) had no objection to raise to the two names suggested by the President, but pointed out that in Sub-Committee A the election had been by secret ballot.

M. de MYTTENMAERE (Belgium) also advocated a secret ballot in the case of elections.

Dr. GOTUZZO (Brazil) and Professor FERROT (France) thought that there was no need for a secret ballot, as no objection had been raised to the names suggested by the Chairman.

The CHAIRMAN thought that it would be better, notwithstanding, that the ballot should be taken in order that the voting might be quite unprejudiced.

Twelve members of the sub-Committee including the Chairman recorded their votes, the voting being by secret ballot. The result was as follows:-

M. de MYTTENMAERE (Belgium)	.....	11	votes.
Professor PERROT (France)	.....	7	"
Dr. ANSELMINO (Germany)	.....	4	"
Dr. BUSTAMENTO (Spain)	.....	1	"
Professor NOUREDDIN BEY (Turkey)	.....	1	"

The CHAIRMAN stated that he would submit the names of M. Myttenmaere and Professor Perrot to the President of the Conference as representatives of Sub-Committee F on the Committee of Co-ordination.

He added that the Sub-Committee had concluded its labours, but that it would hold a formal meeting for the adoption of its three reports in their final form.

M. PERRINS (British Empire) thought that if the Co-ordination Committee found that inconsistencies existed between the proposals submitted by the various Sub-Committees, it would refer back the reports in question to the Sub-Committees concerned, together with suggestions for settling any difficulties.

The CHAIRMAN congratulated his colleagues on the zeal and courtesy which they had displayed throughout their discussions and expressed the hope that their work would lead to fruitful results.

The meeting rose at 5.40 p.m.

LEAGUE OF NATIONS.

O.D.C./S.C.F./P.V.16.

2ND OPIUM CONFERENCE.

SUB-COMMITTEE F.

16th Meeting

held on Wednesday, January 28th, 1925

at 3.30 p.m.

Dr. CARRIERE (Switzerland) Chairman.

Present: All the Members of the Sub-Committee.

Secretary: Mr. BLANCO.

The CHAIRMAN stated that the Sub-Committee had met to adopt the final text of its 3 reports.

Legitimate requirements in narcotic drugs (O.D.C.59)

M. BUSTAMENTE (Spain) pointed out that the Spanish Delegation had only accepted the figure of 450 milligrams subject to reservations.

The CHAIRMAN observed that the figure of 450 milligrams was merely a starting point for future statistics and was not by any means binding.

The report was adopted unanimously.

Report by Professor PERROT on the work of Sub-Committee F. (O.D.C.

71 (I)

Codein.

Professor PERROT (France) Rapporteur, said that the Sub-Committee had adopted a text which, it was thought, would

meet the wishes of the American Delegation and which provided for the adoption of a system of registration rendering it possible to keep a record of the quantities of morphine transformed into non-narcotic derivatives.

Surgeon-General BLUE (United States) asked whether it would not be advisable to keep statistics of all derivatives of opium and morphine. In other words, was the insertion of the new provision in article 14 sufficient?

Dr. Nouredin BEY (Turkey) thought it would be desirable to mention the quantities of codein exported, as in the case of morphine.

Professor PERROT (France) observed that this point had already been discussed. They had come to the conclusion that to include non-narcotics in the trade statistics would be going too far. A record would only be kept of the production of these drugs by factories, and not of their international circulation.

M. de MYTTENMAERE (Belgium) thought that they could not reopen the discussion on points which had already been settled. Members of the Sub-Committee who did not agree with the Rapporteur's conclusions could always uphold their views in the other Committees, or at the Plenary Meeting.

Dr. TSURMI (Japan) said that he withdrew the reservation he had made at the last meeting and agreed with the French Delegation's proposal.

The CHAIRMAN supported the observations of the Rapporteur and the Belgian Delegate. It has not been thought possible to adopt, in its entirety, the American proposal that codein should be included in the Convention, since it was not a narcotic drug. Nevertheless, in order to meet the wishes of the American Delegation, they had decided to propose the above measure.

which would make it possible in well governed countries to keep track of a kilogram of opium from its entry into the country until it reached its final stage of transformation.

Mr. PERRINS (British Empire) said that he did not wish to prolong the debate, but he thought it would be a pity to leave the American Delegation under the impression that the question had not been sufficiently discussed. In the Minority Report submitted by the American Delegation it was requested that all derivatives should be included, in order that the system of registration might be complete. If the passage referring to codein in Professor Perrot's report were carefully examined, it would be found that the new provision adopted would enable opium to be traced until it was transformed into any of its derivatives. He thought that this provision ought to meet the wishes of the American Delegate.

Dr. NOUREDDIN BEY (Turkey) pointed out that it was possible to re-transform codein into morphine either by saponification or by means of ether. He thought, therefore, that it would be desirable to make provision for limiting the quantities of codein.

Dr. ANSELMINO (Germany) replied that such re-transformation was not possible from an industrial point of view. It was merely a laboratory experiment.

The CHAIRMAN said that he did not think it would be possible to say that codein should be limited. Codein was not a narcotic drug and therefore did not come within the scope of the Convention. If the Turkish Delegate had any reservations to make they might be annexed to the Report.

Surgeon-General BLUE (United States) said that he wished once more to draw attention to the opinion given by the Health Section of the League of Nations which recommended "that this alkaloid (codein)

and, in general, all derivatives of opium employed in therapeutics should be brought within the scope of the enquiry". He wished this statement of his to be included in the minutes and reserved the right to uphold his views at the plenary meeting.

The CHAIRMAN noted the statement of the American Delegate.

The chapter concerning opium in the report was adopted.

Definition of coca leaf and cocaine.

Adopted.

Definition of crude cocaine and ecgonin.

Adopted.

Article 14, paragraph c)

Adopted.

Article 14, paragraph d)

Professor PERROT, (France) Rapporteur, pointed out that the British and French Delegations had made reservations in respect of this passage.

Surgeon-General BLUE (United States) stated that the American Delegation was prepared to accept the decision of Sub-Committee F. regarding heroin, if a clause for the suppression of heroin were opened for signature by such states as desired to effect its suppression either now or later.

The CHAIRMAN said that this motion could be discussed at the plenary meeting of the Conference.

Paragraph d) was adopted.

Article 14, paragraph e.

With regard to the first Sub-Section of paragraph e the CHAIRMAN, in his capacity of Swiss Delegate, informed the Sub-Committee that, after examining the text his Government's experts /had expressed a fear lest the scope

of this Sub-Section should be unduly extended. Certain products which were not regarded as habit-forming drugs, such as sulphonal, veronal, etc., in short, products which were regarded as "narcotics" in the strictest sense of the term, might be included by a State among habit-forming drugs. These experts, therefore, suggested that the following words should be added to the Sub-Section in question: "Any habit-forming drug (stupefiant) of no proved therapeutic value". Personally he did not think that these fears were founded, since the procedure laid down for the inclusion of new products in the Convention was complicated, would involve much careful investigation and afforded every possible guarantee.

M. de MYTTEMAERE (Belgium) said he thought that any addition to the text would only complicate it still further and might even compromise its effectiveness. Moreover, the decisions taken would only be valid for the Contracting Powers which accepted them.

M. BUSTAMANTE (Spain) pointed out that he would have liked the products recognised as habit-producing to be mentioned by name. This would naturally necessitate an agreement regarding the appellations.

Professor PERROT (France) Rapporteur, supported the Belgian Delegate's observations.

Surgeon-General BLUE (United States), proposed that the word "now" in the first paragraph of Article e) should be omitted.

On this point a discussion arose between several members of the Sub-Committee.

In reply to a question by Mr. BIANCO, Secretary, Surgeon-General BLUE explained his point of view as follows:

He believed that there were at the present time a number of habit-forming drugs other than those enumerated in Article c). The expression, "any new derivatives" did not take into account alkaloids which had already been discovered, but whose habit-forming properties had not yet been recognised, though they might be recognised in the future.

The CHAIRMAN said he thought that the expression which occurred a little further on "all other narcotic drugs (stupofiants)" provided a sufficient guarantee against the dangers foreseen by the American Delegate. The text, as it stood, made it possible to include all other derivatives of morphine and cocaine which might later be recognised as narcotic drugs, even if they were already in existence.

Surgeon-General BLUE (United States) said that in these circumstances he did not see why it was necessary to retain the word "new".

Professor PERROT (France), Rapporteur, supported the opinion expressed by the Chairman and drew the American Delegate's attention to the third paragraph.

The American Delegate's proposal was put to the vote but was not adopted.

The CHAIRMAN stated that the American delegate would be able to make a reservation in this connection if he thought it necessary.

He added that he would not insist upon his own motion. On behalf of the Swiss delegation, however, he reserved the right to raise the question at a Plenary Meeting.

SURGEON-GENERAL BLUE (United States) proposed that the respective rôles of the Office International d'Hygiène Publique and the Health Committee of the League of Nations should be reversed. However qualified the members of the Office International might be in other directions, many of them were not doctors and the main task ought to be assigned to the Health Committee. Incidentally, this would make for greater rapidity in reaching decisions.

Dr. ANSELMINO (Germany) supported the American delegate's proposal and reminded the Sub-Committee that he had already made a similar reservation.

The CHAIRMAN observed that the question had already been discussed. The text as it stood took into account the arrangement between the League of Nations and the Office International d'Hygiène Publique that the Paris Office should act as an advisory body of the Health Committee. Indeed it was impossible to ignore this arrangement. It was, moreover, clear that the Office International would refer any questions which might arise in this connection to a competent technical commission whose preliminary opinion would be submitted to the Health Committee. The Health Committee would be free to adopt this opinion or not as it chose. And lastly, the text referred to the Office International in the first instance probably because it included States non-Members of the League.

Mr. PERRINS (British Empire) observed that it would possibly be easier for the respective States non-Members of the League to ratify the text if it remained drafted as at present.

SURGEON-GENERAL BLUE (United States) said he did not wish them ^{to} omit all reference to the Office International d'Hygiène Publique, as it was the only international medical body to which his country not being a member of the League of Nations belonged.

The CHAIRMAN said that the observations of Surgeon-General Blue and Dr. Anselmino would be included in the minutes and that the delegates in question would be free to submit any reservations they might judge necessary to the Plenary Conference.

Article (e) was adopted.

Medicines for urgent use exempted from a compulsory medical prescription.

Professor PERROT (France) Rapporteur, pointed out that the Sub-Committee had decided to adopt the figure 25 centigrammes of officinal opium instead of 50 centigrammes.

Dr. BETANCES (Dominican Republic) renewed the reservation which he had made in this connection and stated that he reserved the right to raise this question in the plenary Conference.

The paragraph in question was adopted.

Adoption of Professor PERROT's Report.

Mr. PERRINS (British Empire) pointed out certain discrepancies between the French text and the English translation. In the provision concerning codein the French text read "les Parties Contractantes s'engagent à prendre toutes mesures.....", whereas the English text first distributed read "all possible measures". He thought it would be advisable to use some such expression as "adopt measures allowing....." The present text seemed to constitute a formal undertaking to obtain information as to the quantity of the alkaloid in question, and he thought it would be difficult to enter into such an undertaking in advance.

The CHAIRMAN pointed out that it was impossible to foresee the results of these measures.

Professor PERROT (France) added that the provision as submitted to the French delegation certainly implied a formal obligation to obtain information concerning the quantities of codein.

On the proposal of Mr. Perrins (British Empire) it was agreed that the expression "toutes mesures" should be rendered by the words "any measures".

Report on Indian Hemp (O.D.C. 72 (1)).

Professor PERROT (France) Rapporteur, pointed out that the only change in this report was the addition of the Indian Delegation's note as an Annex.

Mr. WALTON (India) stated that the Indian Delegation would be satisfied if the report were transmitted to the Co-ordination Committee with the Indian memorandum in the form of an annex.

He did not wish to make any reservation for the present.

The report was unanimously adopted.

Statement by the Belgian Delegation.

M. van MYTTENMAERE (Belgium) read a note (O.D.C. S.C.F.22) concerning:

- 1) Belgian proposal that Article 14 should fix the limit of narcotic drugs in terms of absolute weight a proposal which had not been adopted;
- 2) The addition proposed by the Belgian delegation of a clause concerning codain to the effect that enquiries should also be conducted into the international distribution of non-narcotic derivatives;
- 3) The supply of hypodermic syringes.

With regard to the last point Mr. PERRINS (British Empire) pointed out that heroin is taken like snuff and is not injected.

SURGEON GENERAL BLUE (United States) added that certain needle-bearing apparatus could not be termed "syringes".

The CHAIRMAN stated that the Belgian proposal seemed to refer to the "ampoules-aiguille" (needle-ampullae) which had been alluded to.

The Belgian delegate's statement was noted.

Declaration by the French Delegation.

Professor PERROT (France) read the following note:
"Diacetyl-morphine (Heroin), in the manufacture of which morphine constitutes the basic product, is generally regarded as the alkaloid whose habitual consumption produces the most serious disorders, and its illicit use constitutes in certain countries a deadly evil.

But it is also from a therapeutical point of view a most beneficial drug, when employed by doctors, many of whom hold it to be considerably superior to morphine.

The Hague Convention (paragraph (c) Article 14) therefore made an exception as in the case of cocaine, in favour of medical preparations not containing more than 0.10 per cent of this alkaloid.

Sub-Committee "F", notwithstanding the observations made by some of its members, had abolished this provision, but the French delegation, on the basis of various expert opinions, in particular that of the Pharmacopoeia Commission (Codex) of March 11th, 1924 proposes that no change should be made in the text of paragraph (c) Article 14 of the Hague Convention and that consequently preparations containing not more than 0.10 per cent should continue to be permitted.

It would point out, moreover, that the danger to society from the misuse of heroin, as of other narcotic alkaloids, cannot be ascribed to pharmaceutical preparations.

In this campaign the only international measures which can be effective are those which aim on the one hand at the suppression of smuggling, and on the other, at establishing control over the manufacture of and international traffic in these alkaloids".

The CHAIRMAN noted the French delegate's statement.

He added that the two statements which had just been read would be appended to the report. The three reports would be communicated to the Chairman of the Conference, as the final reports of the Sub-Committee "F".

Mr. PERRINS (British Empire) on behalf of the British Delegation thanked the Chairman for the skilful manner in which he had presided over the discussions of the Sub-Committee. He also wished to congratulate the Rapporteur and the Secretariat.

The CHAIRMAN thanked the British delegate on behalf of the Rapporteur and on his own behalf and congratulated the Sub-Committee on the zeal it had displayed in these discussions, which had led to such satisfactory results.

The meeting rose at 5.30 p.m.

LEAGUE OF NATIONS.

O.D.C./S.C.F./ P.V. 17.

SUB-COMMITTEE "F".

Provisional Minutes of the Seventeenth Meeting, held on
Thursday, February 5th at 10.30 a.m.

Dr. CARRIERE (Switzerland) in the Chair.

Present: All the members who took part in the preceding
meeting.

Proposal of the Egyptian Delegation.

The CHAIRMAN informed the Sub-Committee of the contents of a letter which he had received from the President of the Conference asking that the Sub-Committee should make a supplementary report concerning the proposal of the Egyptian Delegation (Document O.D.C. 43) which should have been referred to.

M. EL GUINDY (Egypt) submitted his proposal in the following terms:

"It should henceforward be understood that all known narcotic substances, not at present classified as dangerous drugs, but nevertheless capable of being regarded as such, together with any other narcotic drug which may be discovered or manufactured in future, should automatically come under the provisions of the convention which we desire to conclude."

In explaining it, he pointed out that he was unable to agree with the resolution adopted by Sub-Committee "F" to be found in that part of its Report concerning Article E, formerly Article D, the final aim of which was to bring within the Convention all products which might in the future be classified among narcotics of the nature of morphine, cocaine and their salts. While ready

to accept the first two paragraphs M. El Guindy was unable to understand why it should be necessary that the consent of ten powers should be obtained before any new product was put on the schedule of dangerous drugs covered by the Convention. In his view the recommendation of the International Health Office and the Health Committee of the League should suffice to cause any newly discovered drug to be covered by the Convention.

M. de MYTENAERE (Belgium) pointed out that if any country considered a new drug to be a dangerous one it could immediately prohibit it by means of its own domestic legislation. The first question to be considered on the appearance of a new drug was whether its use could in any way be abused, in which case international action would be necessary, but only when a sufficient number of powers- and the Sub-Committee had decided that that number should be ten- had reached the same view as to the dangerous nature of the drug.

M. EL GUINDY (Egypt) said that this provision did not cover the case of smuggling. A new drug might be smuggled into a country and there would be no proper control over it unless steps were taken to regulate its production.

M. de MYTENAERE (Belgium) said that no one would desire to smuggle a new drug when it was not yet sufficiently well-known as to make its smuggling a commercial proposition. Smuggling was only profitable when the drug smuggled was well-known and commanded a large market.

The CHAIRMAN pointed out that the Report of the Sub-Committee had already been adopted and submitted to the Conference and it could not therefore reconsider its terms. All that it was called upon to do was to present a supplementary report with reference to the proposal of the Egyptian Delegation. If M. El Guindy desired to raise any objection

to any part of the Report he could do so when it came before the full Conference for adoption.

M. PERROT (France) agreed with the Chairman. All that it was necessary to do was an additional Report placing on record the fact that the Egyptian Delegation made a reservation regarding the third paragraph of the Resolution in the Report.

M. EL GUINDY (Egypt) agreed to accept the first two paragraphs, but desired to make a reservation regarding the third.

Surgeon-General BLUE (United States of America) said he agreed with the point of view of the Egyptian delegate. A decision by the two bodies in question, the International Health Office and the Health Committee of the League should in his view be quite sufficient to include any new drug under the terms of the Convention.

Dr. BETANCES (Dominican Republic) also agreed with the Egyptian delegate.

The CHAIRMAN pointed out that the member of the Sub-Committee who disagreed with the Report could say so when the Report came before the full Conference.

The Sub-Committee authorised M. Perrot (France) the Rapporteur, to draw up a short supplementary Report containing a reference to the reservation made by the Egyptian delegate.

DEFINITIONS.

Mr. PERRINS (British Empire) pointed out that the definitions of cocaine and ecgonine lacked a minus sign before 16 degrees six and 45 degrees six.

The CHAIRMAN said that note would be taken of the observations of Mr. Perrins.

DEFINITION OF MEDICINAL OPIUM.

M. PERROT (France) pointed out that medicinal opium was incorrectly defined in the Hague Convention. Medicinal opium was defined as "raw opium which has been heated to 60 degrees centigrade". This was incorrect, and should be changed to read "raw opium which has been desiccated at 60 degrees centigrade."

Mr. PERRINS (British Empire) said that the proposal of M. Perrot had been made without warning. The British Delegation had had no time to consider their attitude towards any proposals made with the object of changing definitions in the Hague Convention which had been incorporated in British law since 1912.

He would therefore have to abstain from voting if the proposal were put to the vote.

After an exchange of views the Sub-Committee decided to adopt the proposed change, the British Delegate abstaining.

M. PERROT (France) proposed that the definition should be further changed by altering the phrase "and contains not less than 10 per cent of morphine" to "contains not less than 9.5 per cent of morphine", since the pharmacopeia of the United States of America defined medicinal opium in this way and he thought that it would be necessary for the Convention to be modified as he suggested so as to make it apply to the smaller percentage. This change would not affect the domestic legislation of States, but would merely alter the common standard to be applied to when defining medicinal opium.

Dr. DE MYTTEMLAERE (Belgium) thought that the proposed alteration was unnecessary.

Mr. PERRINS (British Empire) and M. COEBURGH (Netherlands) agreed.

M. PERROT withdrew his proposal.

DEFINITION OF RAW OPIUM.

M. PERROT (France) said that the definition of raw opium in Chapter 1 seemed to him not to cover every form of opium. The definition said that opium was "the spontaneously coagulated juice obtained from the capsules of the papaver somniferum, which has only been submitted to the necessary manipulations for packing and transport". This did not appear to him to cover the case of opium powder and other forms of raw opium. He proposed, therefore, to add a sentence to the effect that the definition was to cover all forms of raw opium used in commerce, whatever might be the percentage of morphine which it may contain.

Dr. ANSELMINO (Germany) said that powdered opium was not raw opium, and that powdered opium containing less than 10 per cent of morphia did not fall under the terms of the Hague Convention.

M. COEBURGH (Netherlands) could not agree to any attempt to change the definitions contained in the Hague Convention without mature reflection.

Mr. PERRINS (British Empire) did not understand why the definition as it stood was incomplete. Powdered opium containing less than 10 per cent of morphia seemed to him to fall under the provisions of Article 14 of the Hague Convention.

Dr. ANSELMINO (Germany) said that Article 14 dealt with preparations of morphia. Powdered opium was not a preparation of morphia, but was a preparation of opium containing morphia. He desired that this definition should be recorded in the minutes.

The CHAIRMAN suggested that Article 14 might be completed by a reference to raw opium and to officinal opium.

Mr. WILTON (India) said that the Indian Government could not agree to any proposal to place raw opium under the provisions of Article 14 of the Convention, since in India the use of raw opium was of a semi-medical nature, and could not be submitted to regulations of the severity of those contained in Article 14.

After a further discussion the Committee adopted by 7 votes to one, the proposal of M. Perrot to add a sentence to the definition of raw opium stating that that definition covered opium, whatever its percentage of morphia might be. The British Delegate abstained from voting.

M. COEBURGH (Netherlands) voted against the Resolution, since he did not think that the Sub-Committee was in order in discussing such important matters as changes in definitions, without previous notice being given to the Members.

Mr. PERRINS (British Empire) agreed with M. Coeburgh in thinking that the moment was not a suitable one for discussing such a proposal especially after the report to the Conference had been adopted. At first sight the proposal would appear to have the effect of including under the definition of raw opium what had hitherto been covered by the definitions contained in Article 14.

DEFINITION OF RAW COCAINE.

M. PERROT (France) said that the Drafting Committee had asked for a definition of all substances from which cocaine could be manufactured.

The CHAIRMAN pointed out that the Drafting Committee or the Conference, could at any moment refer to Sub-Committee F any proposals involving a change in the definition of any of the substances covered by the proposed Convention.

M. de MYTTEMAIRE (Belgium) agreed. He did not consider that a percentage definition of raw cocaine would meet the case, since there might be certain substances which contained cocaine in a lesser quantity than the percentage fixed, and which would not therefore be covered by the Convention.

M. PERROT (France) thought that the definition should state that raw cocaine was any substance which was extracted from coca leaves and used as material for the manufacture of cocaine.

Dr. ANSEMINO (Germany) pointed out that raw Peruvian cocaine was in the form of a grey powder which could be used immediately. Raw cocaine, however, prepared from the Java leaf was in the form of a black grease which had to be submitted to further processes before it could be used.

Surgeon-General BLUE (U.S.A.) desired that any definition of raw cocaine should take account, not only of coca leaves, but of any other part of the coca plant from which cocaine could be extracted.

The CHAIRMAN pointed out to the representative of the United States that this point was met in the definition of coca leaves already adopted by the Sub-Committee.

After an exchange of views, M. PERROT (France) and M. EUSTAMENTE (Spain) proposed the following text:-

"Raw cocaine is understood to mean any product extracted from coca leaves which can directly or indirectly be used in the preparation of cocaine."

This definition was adopted.

The Committee rose at 12.30 p.m.

LEAGUE OF NATIONS

O.D.C. 78(1)

Geneva, January 31st 1925

SECOND OPIUM CONFERENCE

FINAL TEXT OF REPORT OF SUB-COMMITTEE "E"

AS ADOPTED JANUARY 29th 1925

Sub-Committee "E" was charged by the Conference with the examination of a number of proposals for strengthening the provisions of the Hague Convention in regard to the national and international control over the substances to which that Convention applies. The most important of these proposals were those contained in Part II of the measures suggested by the Opium Advisory Committee of the League of Nations, and the corresponding provisions, which follow in the main the proposals of the Advisory Committee, submitted by the Delegation of the United States.

The Sub-Committee are glad to be able to report that they have arrived at a unanimous conclusion, subject only to one reservation, on the important matters which they have had to consider.

The proposals submitted to them referred in the main to the control to be exercised over the international traffic, and the Sub-Committee had the advantage of the assistance of expert advisers attached to several of the Delegations.

The general object of the proposals in Part II of the Advisory Committee's scheme is explained in the latter part of the explanatory note contained in Annex 2 of the Report of the work of the Sixth Session of that Committee (A.32.1924.XI)

It is there pointed out that "experience during the three years which have elapsed since the Convention came into force has shown that there are loopholes in the existing provisions by

which persons engaged in illicit traffic can evade the control over the national and international trade"; and the proposals of the Advisory Committee's aim in particular at establishing a much closer control over the international movement of the substances to which the Convention applies. The principal provisions for the control of the international traffic in the existing Convention are contained in Articles III, IV, V (which relate to raw opium) and articles X(b), XII and XIII (which relate to the manufactured drugs). The object of these provisions is to confine to authorised persons the right to export and import the substances covered by the Convention, and to prevent the export of the substances from one country to any unauthorised persons in another country; but no adequate machinery is provided for securing this object effectively. The proposals of the Advisory Committee would extend these provisions and lay down in detail the methods by which the control of the international trade is to be carried out.

These proposals have been thoroughly examined by Sub-Committee "E" and have been adopted by them in the main. Certain modifications have been introduced, which relate chiefly to points of detail. A text of the provisions as proposed by the Sub-Committee for inclusion in the Convention to be adopted by the Conference is appended to this Report (See Annex I) and for the convenience of the Conference the modifications introduced by the Sub-Committee are indicated by the black lines.

Articles I and II lay down two principles which are essential to the effective control of the international traffic. The first of these is that a separate import authorisation or export authorisation from the Government shall be required in the case of each importation and exportation; this secures

that every international transaction in the substances covered by the Convention comes under the consideration of the Government before it is carried out. The second is that an export authorisation shall only be issued by the Government of the exporting country on the production of a certificate from the Government of the importing country that the import into the latter country of the consignment proposed to be exported has been approved. The production of such a certificate is a guarantee to the Government of the exporting country that its exports are destined for persons duly authorised by their Government to receive the drugs, and for purposes which are legitimate. The manner in which the import certificate system operates has been fully explained in the memorandum circulated by the Secretary-General of the League on the advice of the Opium Advisory Committee, which will be found in C.L.15.1922. Those two principles have already been adopted by many Governments. It is hoped that one result of the present Conference will be to secure their general adoption by all countries. Until that is done, the control over the international traffic will not be completely effective.

A model form of import certificate has been recommended by the League of Nations for adoption by the Governments which accept the system. The Sub-Committee considers that it would be desirable that this form should be followed as closely as possible by all signatory States and recommends that it should be included in an annex to the new Convention as a model recommended for adoption by the signatory States.

It is recognised that the requirement of an import certificate can be applied only in the case of exports to countries which are parties to the Convention or, at least, accept the import certificate system. The Government of an exporting country will not be compelled to require the production of an import certificate in respect of exports to a country which is outside the Convention and does not agree to furnish such certificates. It is to be understood that in these cases the principle above mentioned will not apply, but at the same time a moral obligation will rest on the Government of the exporting country not to allow the export of the substances in excessive quantities to countries which decline to furnish import certificates and to co-operate in the system of international control, and which in some cases are known to be centres of the illicit traffic.

It will not perhaps be necessary to refer in detail to the minor modifications introduced by Sub-Committee "B" in the proposals of the Advisory Committee, but one or two points may be noted.

It will be noticed, on a comparison of Article I with Article II (3) that while an import authorisation may allow a supply of the substances to be imported in more than one consignment, a similar latitude is not allowed in the case of exportation. The reason for this will be apparent on an examination of the proposals as a whole. In the case of an importation it will not be possible for the importer to know beforehand whether the person in the other country from whom he is obtaining the supply will be able to send it in a single consignment or not, and as the import authorisation has to be issued before he can order the goods, provision must be made to allow the

importation to be effected in more than one consignment. The case is different in regard to exports. The general scheme requires that a copy of the export authorisation must accompany the goods, and it would lead to great confusion if the export authorisation allowed the dispatch of the goods in more than one consignment and there was a difference between the amount specified in the export authorisation and the quantity of goods in the consignment. It is proposed therefore that where the goods have to be sent in separate consignments, a separate export authorisation should be obtained in respect of each consignment. This should lead to no difficulty in practice.

Article II (4) and (5) will enable the authorities to follow up the export and provides a safeguard against its diversion to illicit purposes. In the first place, it is provided that a copy of the export authorisation must accompany the consignment. It is understood that the usual procedure would be, in the case of consignments sent by sea, that the copy should be handed to the Captain or other responsible officer of the ship, and in the case of goods sent overland by train, to the responsible railway official in charge of the goods, and so on.

In the second place, it is required that the Government issuing the export authorisation shall send a copy to the Government of the importing country, and that the latter Government shall return the copy to the Government of the exporting country when the importation has been effected with a notification of the amount received. The Sub-Committee consider that the copy should be sent direct from the competent authorities in the one country to the competent authorities in the other, and not through the diplomatic channels.

Articles III and IV (relating to the manufactured drug) correspond to Article II (relating to raw opium). It is unnecessary therefore to say anything in regard to the provisions in Articles III and IV.

Special provisions are inserted in Articles II (7), IV (7) and VII to adapt the system of control to the case of "bonded warehouses."

Article V is a provision of great importance. Free Ports not being subject to the ordinary control of the customs authorities of the territory in which they are situated, the illicit traffickers have been able in the past to evade control by making use of the Free Ports. Attention has been called by the Opium Advisory Committee to this means of evasion, and the question has been reported upon by the Transit Committee of the League (See Annex 7 to Minutes of the 4th Session of the Advisory Committee, C.155, M.75, 1923). In consequence of the attention so called, a number of Governments have already adopted and are enforcing, measures of control over imports and exports of the drugs in their Free Ports.

On the consideration of this Article the Italian representative pointed out that the Italian Government is disposed to prohibit entirely the introduction into the Free Ports in Italy of the substances covered by the Convention. It is not suggested by the Sub-Committee that countries which have already more drastic provisions in force than those suggested in Article V should weaken their provisions, and they recommend that the Drafting Committee, when settling the wording of this Article, should insert a provision to meet such cases.

Article VI is a re-draft of Article 7(X) and (II) of the Advisory Committee's proposals, which has been prepared by the expert advisers who have assisted the Committee. In the opinion

of

the Sub-Committee the redraft both simplifies and renders more effective the procedure for exercising control over consignments in transit whether there is a change of conveyance (e.g. trans-shipment) or not during transit. The drafting at present is somewhat lengthy, but this could be left to the Drafting Committee to improve.

Attention may specially be called to the opening lines of the Article, which are designed in particular to meet the case of goods in transit along international waterways. There are a number of cases in which, under Treaty, goods pass along international waterways without interference from the authorities of the countries through which the waterways pass. For instance, goods going by sea to Antwerp along the waters of the Scheldt are exempt from interference by the Dutch authorities. Other cases which may be mentioned are international canals such as the Suez Canal, and the great lakes of North America which are situated partly in the territories of the United States and partly in the territories of Canada.

The Sub-Committee has also had to consider the question of transport by air.

Where the aircraft is permitted, by international agreement, to fly over the territory of an intervening country without landing it would be impossible, as well as unnecessary, to apply the stipulations of Article VI.

In cases where the aircraft is required by the law of the intervening country to land in its territory, or does in fact land in the territory, there will be no difficulty in applying the stipulations of Article VI, when the landing takes place at an authorised landing place at which the Customs officials or other authorised representatives of the State authorities are present.

On the other hand, if the landing is effected at some place which is not an authorised landing place, it may not be possible in all cases for the authorities of the intervening country to apply the stipulations of Article VI.

The Sub-Committee has accordingly inserted a provision in the foregoing sense to regulate the application of Article VI to transport by air of the substances covered by the Convention.

A proposal was submitted to the Sub-Committee that if any person fails to produce any document as required by paragraph (1) of Article VI, or diverts, or attempts to divert, without an authorisation as required by paragraph (2) any consignment to a destination other than that named in the export authorisation or diversion certificate, he shall be guilty of an offence, and the consignment shall be liable to confiscation, whoever may be the owner of it. The Sub-Committee agree with this proposal, but they consider that any provisions as to penalties or confiscation should appear in an Article in the Convention applying generally to the provisions of the Convention, and that the drafting of such an article should be referred to the Drafting Committee.

Article VIII is new. Any interference with the drugs while in transit will make it easy for the illicit traffickers to evade control. Many cases have come to light in which the drugs had been abstracted from the packages while in transit and replaced by other goods.

The Sub-Committee endorse the recommendation in Part III, Article 2 of the Advisory Committee's proposals and suggest that it might be appended to the Convention adopted by

the Second Conference in

a protocol. (Annex I, Part 2). The reasons for the recommendation are the following:- A ship of country "A" may be engaged in smuggling opium from country "B" to country "C", without touching at any port in country "A" and without therefore, coming under the control of the authorities of country "A". A large amount of the illicit traffic in opium is carried on in this way. The Sub-Committee recognise that some Government may find difficulty in applying such a provision, and will require to examine it carefully before they can adopt it. It is for this reason that they have not proposed that it should be inserted as a definite provision in the Convention itself.

The sub-Committee also recognise that the provision will not be applicable if country "B" is not a party to the Convention and does not issue export authorisations. The Drafting Committee should be asked, in settling the terms of the recommendation, to provide for such cases.

In article 7 (VI) of its proposals the Advisory Committee recommend the omission, at the end of Article X of the Hague Convention, of the words "this rule shall not necessarily apply to medical prescriptions and to sales by duly authorised chemists." The effect of this proposal would have been to require that all sales on medical prescriptions and by duly authorised chemists should be registered. It was pointed out in the Sub-Committee that this would not fit in with the systems of control over such sales in certain countries, and it was unanimously agreed, in place of omitting the words altogether, to substitute for them the words "this requirement shall not necessarily apply either to supplies by medical practitioners to their patients or to sales by duly authorised chemists on medical prescriptions, if the medical prescriptions are duly filed and preserved by the medical practitioner or chemist."

As regards Article 20 in the United States draft, it was pointed out that it would not be possible to make the possession of coca leaves illegal in countries, where the coca plant grows wild, and the Committee have, in view of this and of other objections, not felt able to make any recommendation at the present stage.

The Sub-Committee discussed at length the recommendations of the Advisory Committee in Part III (1) of its proposals, that each Government "should forbid any person within its jurisdiction from procuring or assisting the commission in any place outside its jurisdiction of any offence against the laws in force in such place" relating to the control, etc. of the drugs. The Sub-Committee entirely approve the principle of this proposal, but attention was called to the fact that there may be constitutional difficulties in the way of its acceptance by certain countries. The First Opium Conference, which had a similar proposal before it, and had to take account of the same difficulties, adopted a text as follows:-

The Contracting Powers will examine in the most favourable spirit the possibility of taking legislative measures to render punishable illegitimate transactions which are carried out in another country by a person residing within their territories.

The Sub-Committee felt that it would be difficult to recommend a different text for adoption by the Second Conference, and accordingly suggest that an Article on the same lines as Article 9 of the First Conference Agreement should be adopted by the Second Conference. The delegate of the United States made a reservation in favour of the adoption of the original proposal of the Advisory Committee, to which effect is given in Article 20 (F) of the United States Draft.

The Sub-Committee approve the proposal in Article 7 (I) of the Advisory Committee's proposals and Article 2 of the United States proposals that Article II of the Hague Convention should be extended to coca leaves.

A new proposal has been submitted to the Sub-Committee that Article IV of the Hague Convention, which provides that "every package containing raw opium intended for export shall be marked in such a way as to indicate its contents, provided that the consignment exceed five kilograms", should be suppressed. It has been found that marks indicating that a particular packet contains raw opium are a help to opium thieves, and are of no real value for the purpose of the control over the traffic. The proposed requirement that a copy of the export authorisation must in future accompany the goods will provide a much more effective safeguard. The Sub-Committee therefore approve the proposal and recommend its adoption by the Conference.

The attention of the Sub-Committee has been called to two other matters. (1) The importance of adequate penalties being attached to infractions of the national laws which are adopted to give effect to the provisions of the new Convention. (2) The desirability of the adoption by all States of the practice of direct exchange of information between the competent authorities of the States in regard to the illicit traffic and the persons engaged in it. The Sub-Committee is impressed with the importance of these matters, and it recommends (1) The insertion in the new Convention of an article providing for the punishment of infractions of the law by adequate penalties, and (where appropriate) the confiscation of the substances in respect of which the infraction has been committed. (2) The adoption of a vote recommending that all States should co-operate as closely as possible with one another in the suppression of the illicit traffic and that they should authorise the competent authority charged with the administration of the law on the subject to communicate directly with the corresponding authorities in other countries.

ANNEX I.

(Part I)

Text of provisions proposed by sub-Committee "E"
for insertion in a new Convention.

1. The following Article (numbered 2 bis) shall be added to the Convention:-

"Each Contracting Power shall require that a separate import authorisation, stating the quantity to be imported and the name and address of the importer and the name and address of the exporter must be obtained for each importation of raw opium or coca leaves.

The import authorisation shall specify the period within which the importation must be effected and may allow the importation in more than one consignment."

- II. Article 3 shall be replaced by the following Article:-

1. "Each Contracting Power shall require that a separate export authorisation must be obtained for each exportation of raw opium or coca leaves, stating the quantity to be exported and the name and address of the exporter and the name and address of the importer".

2. "The Contracting Power, before issuing such export authorisation shall require an import certificate, issued by the Government of the importing country, and certifying that the importation is approved, to be produced by the person applying for the export authorisation".

3. "The export authorisation shall specify the period within which the exportation must be effected."

4. "A copy of the export authorisation shall accompany the consignment and the Government issuing the export authorisation shall also send a copy to the Government of the importing country".
5. "The Government of the importing country, when the importation has been effected, or when the period fixed for the importation has expired, shall return the export authorisation with an endorsement to that effect to the Government of the exporting country. The endorsement shall specify the amount actually received."
6. "If a less quantity than that specified in the export authorisation is actually exported, the quantity actually exported shall be noted by the competent authorities on the export authorisation and on any official copy thereof."
7. "In the case of an application to export a consignment ~~to~~ to any country for the purpose of being placed in a bonded warehouse in that country, the production of a special certificate from the Government of that country, certifying that it has approved the introduction of the consignment for the said purpose, may be admitted by the Government of the exporting country in place of the import certificate provided for above. In such a case the export authorisation shall specify that the consignment is exported for the purpose of being placed in a bonded warehouse."

Article 12 shall be replaced by the following article:-

"Each Contracting Power shall require that a separate import authorisation, stating the quantity to be imported, the name and address of the importer and the name and address of the exporter must be obtained for each importation of any of the substances to which Chapter III applies. The import authorisation shall specify the period within which the importation must be effected and may allow the importation in more than one consignment."

IV. Article 13 shall be replaced by the following article:-

1. "Each Contracting Power shall require that a separate export authorisation must be obtained for each exportation of any of the substances to which Chapter III applies, stating the quantity to be exported, and the name and address of the exporter and the name and address of the importer."
2. "The Contracting Power, before issuing such export authorisation shall require an import certificate issued by the Government of the importing country and certifying that the importation is approved, to be produced by the person applying for the export authorisation."
3. "The export authorisation shall specify the period within which the exportation must be effected."
4. "A copy of the export authorisation shall accompany the consignment, and the Government issuing the export authorisation shall send a copy to the Government of the importing country."
5. "The Government of the importing country, when the importation has been effected, or when the period fixed for the importation has expired, shall return the export authorisation, with an endorsement to that effect, to the Government of the exporting country. The endorsement shall specify the amount actually received."
6. "If a less quantity than that specified in the export authorisation is actually exported, the quantity actually exported shall be noted on the export authorisation and on any official copy thereof."
7. "In the case of an application to export a consignment to any country for the purpose of being placed in a bonded warehouse in that country, the production of a special certificate from the Government of that country, certifying that it has approved the introduction of the consignment for the said

purpose, may be admitted by the Government of the exporting country in place of the import certificate provided for above. In such a case the export authorisation shall specify that the consignment is exported for the purpose of being placed in a bonded warehouse."

V. For the purpose of ensuring the full application and enforcement of the provisions of the Convention, as amended by this agreement, in free ports and free zones, the Governments undertake to apply in free ports and free zones situated within their territories, the same laws and regulations, and to exercise the same supervision and control in respect of the substances covered by the Convention, as amended by this agreement, as in other parts of their territories.

VI. Subject to the provisions of any international agreement or treaty limiting the control which may be exercised by any of the Contracting Powers over the substances covered by the Convention, as amended by this agreement, when in direct transit:

1. "No consignment of any of the substances covered by the Convention, as amended by this agreement, which is exported from one country to another country, shall be permitted to pass through the territory of a third country, whether or not it is removed from the ship or conveyance in which it is being conveyed, unless the copy of the export authorisation (or the diversion certificate, if such a certificate has been issued in pursuance of the following paragraph), which accompanies the consignment, is produced to the competent authorities of that country."

2. "The competent authorities of any country through whose territory a consignment of any of the substances covered by the Convention, as amended by this agreement, is permitted to pass, shall take all due measures to prevent the diversion of the consignment,

to a destination other than that named in the copy of the export authorisation or the diversion certificate which accompanies it, unless the government of that country has authorised that diversion by means of a special diversion certificate. A diversion certificate shall only be issued after the receipt of an import certificate in accordance with Article 3 or Article 13 from the Government of the country to which it is proposed to divert the consignment and shall contain the same particulars as are required by Article 3 or Article 13 to be stated in an export authorisation, together with the name of the country from which the consignment was originally exported; and all the provisions of Article 3 or Article 13 which are applicable to an export authorisation shall be applicable equally to the diversion certificate. Further, the government of the country authorising the diversion of the consignment shall detain the copy of the original export authorisation or diversion certificate which accompanied the consignment on arrival in its territory and shall return it to the Government which issued it, at the same time notifying the name of the country to which the diversion has been authorised."

In cases where the transport is being effected by air, the provisions of this Article shall not be applicable if the aircraft passes over the territory of the third country without landing. If the aircraft lands in the territory of the said country, the provisions of this Article shall be applied so far as the circumstances permit.

The provisions of this Article shall not apply to transport of the substances by the post.

- VII. A consignment of any of the substances covered by the Convention, as amended by this Agreement, which is landed in any country and placed in a bonded warehouse, shall not be allowed by the Government of that country to be withdrawn from the bonded warehouse unless an import certificate, issued by the Government of the country of destination and certifying that the importation is approved, is produced to the authorities having jurisdiction over the bonded warehouse. A special authorisation shall be issued by the Government in respect of each consignment so withdrawn and shall take the place of the export authorisation for the purpose of the preceding provisions of this Agreement.
- VIII. Any consignment of the substances covered by the Convention, as amended by this Agreement, while passing in transit through the territories of a country or whilst being stored there in a bonded warehouse, may not be subjected to any process which would alter the nature of the substances in question, or, without the permission of the competent authorities, the packing.

(Part 2).

Recommendation proposed for adopted by the Conference.

That each Government should forbid the conveyance in any ship sailing under its flag of any consignment of the substances covered by the Convention as amended by this Agreement:-

- i. Unless an export authorisation has been issued in respect of such consignment in accordance with the provisions of the Convention as so amended and the consignment is accompanied by an official copy of such authorisation, or of any diversion certificate which may be issued,
- ii. To any destination other than the destination mentioned in the export authorisation or diversion certificate.

(Part 3).

Article 7(vi) of the Advisory Committee's proposals

"In Article 10 the words "The Contracting Powers shall control" shall be substituted for "The Contracting Powers shall use their best endeavours to control or to cause to be controlled", and the words "The Contracting Parties shall adopt" shall be substituted for "The Contracting Powers shall use their best endeavours to adopt or cause to be adopted."

"The words "or shall make to the competent authorities an official declaration that they are so engaged" shall be omitted,

"The words "This rule shall not necessarily apply to medical prescriptions and to sales by duly authorised chemists" shall be omitted."

and articles 10 and 11 of the proposals submitted by the United States of America:-

Article 10. "The Contracting Parties shall control all persons manufacturing, importing, selling, distributing or exporting morphine, cocaine or their respective salts or derivatives as well as the buildings in which these persons carry on such industry or trade.

With this object, the Contracting Parties shall

- a) Confine the manufacture of morphine, cocaine and their respective salts and derivatives to those establishments and premises alone which have been licensed for the purpose, or obtain information respecting the establishments and premises in which these drugs are manufactured and keep a register of them;
- b) Require that all persons engaged in the manufacture, import, sale, distribution, or export of morphine, cocaine or their respective salts or derivatives shall obtain a licence or permit to engage in these operations;
- c) Require that such persons shall enter in their books the quantities manufactured, imports, sales and all other distribution, and exports of morphine, cocaine and their respective salts and derivatives."

Article 11 "The Contracting Parties shall take measures to prohibit, as regards their internal trade, the delivery of morphine, cocaine and their respective salts and derivatives to any unauthorised persons."

are approved (subject to redaction of the wording of the Committee of Redaction) with the following exception :

- 1) No recommendation is made on the proposal to add the words "and derivatives" which had been referred to Sub-Committee "A".

2) Instead of the omission of the words "This rule shall not necessarily apply etc." at the end of Article 10 of the Hague Convention, it is proposed that these words should be replaced by the following:-

"This requirement shall not necessarily apply either to supplies of medical practitioners to their patients or to sales by duly authorised chemists on medical prescriptions, if the medical prescriptions are duly filed and preserved by the medical practitioner or chemist."

It is not possible to settle the text of Article 20 as proposed to be amended by the United States of America, until it is known what decisions have been taken by the Conference in regard to the production of raw opium or coca leaves.

Sub-Committee "E" recommends that Part II (I) of the proposals of the Opium Advisory Committee and Article 20(f) of the proposals submitted by the United States of America, should be replaced by Article 9 of the First Opium Conference Agreement. The delegate of the United States of America makes a reservation in favour of the original proposal.

The Norwegian proposals, Part II, paragraph 2,
(Document O.D.C.20):

"The Norwegian Government cannot accede to the proposal for the deletion of the last sentence in Article 10 of the Hague Convention, if that is to be taken to mean that chemists would have to enter in their books, together with the name of the purchaser, each consignment of opium, etc., or of drugs containing the foregoing substances, and to notify the authorities of the facts. Such a provision would be too drastic and is not essential for the purposes of control. It would,

moreover, appear to be impracticable. While dealing with this subject, we desire to state that pharmacies in Norway are regularly inspected by the authorities and that the license system at present governing the opening of pharmacies in that country is, from the standpoint of control, equivalent to a State Monopoly."

are covered by the amendment to Article 10 of the Hague Convention proposed above.

The Austrian proposals (O.D.C.20(a))

"The Federal Government is unable to agree to the proposal contained in Nos. III and VIII of Section II to the effect that when a copy of the export license does not accompany the consignment the Government issuing the export license shall send a copy to the Government of the importing country. The Federal Government thinks that a measure of this kind would merely give excessive work to the authorities concerned without appreciably contributing to the suppression of illicit traffic. As the Federal Government has already ventured to point out when submitting its report for the year 1923, it is in principle prepared to issue licenses in quadruplicate. In its opinion it would be well to render this rule universal and to lay down that one of these copies should accompany each consignment. Should the Governments of an exporting country so request, it might further be laid down that the copy of the export license accompanying the goods should be returned to the Government in question with an affidavit by the Government of the importing country to the effect that the importation has actually taken place."

"As regards the proposal contained in No. 2, namely that in the case of a consignment of narcotics passing in transit through the territory of a third country without being removed from the ship or conveyance in which it is being conveyed, that a declaration should be made to the authorities of the country of transit of the contents of the consignment and the country for which it is destined, the Federal Government feels that it should point out that the authorities of the country through which the goods pass are not in a position to apply the provisions concerning the control in traffic in narcotics to goods transported in closed receptacles which are not removed from the means of transport which in other words remain during transit under Customs seal. The control of such consignments by the authorities of the countries through which they pass, would be going too far, and would not, moreover, produce

any results unless part at least of some of the packages chosen at random, were to be examined. The authorities of a country of transit are not, however, entitled - unless they have serious suspicions concerning the contents - to open these packages. It should moreover, be borne in mind that according to the Convention for the Simplification of Customs Formalities, concluded on November 3rd, 1923, all excessive or useless formalities should be avoided. In the opinion of the Federal Government a copy of the export certificate accompanying the goods should be sufficient to warrant the consignment."

are covered by the decisions taken on Part II of the Opium Advisory Committee's proposals.

The Egyptian proposals (O.D.C.44' paragraph 3,) were withdrawn.

It is provisionally recommended that Article 4 of the Hague Opium Convention should be suppressed. The delegate of the United States of America reserved the right to bring the matter up at a later date.

The extension of Article 2 of the Hague Convention to include coca leaves as suggested in the proposals of the Opium Advisory Committee and the United States of America was accepted.

ANNEX II.

MODEL FORM OF IMPORT CERTIFICATE.
INTERNATIONAL OPIUM CONVENTION.

Certificate of Official Approval of Import.

I hereby certify that the Ministry of being the Ministry charged with the administration of the law relating to the dangerous drugs to which the International Opium Convention of () applies, has approved the importation by

a) (Name, address and business of importer) a)

b) (Exact description and amount of drug to be imported.) of b)

c) (Name and address of firm in exporting country from which the drug is to be obtained.) from c)

d) (State any special conditions to be observed, e.g. not to be imported through the post.)

subject to the following conditions
d)
and is satisfied that the consignment proposed to be imported is required:

- (1) for legitimate purposes (in the case of raw opium)¹
- (2) solely for medicinal or scientific purposes (in the case of drugs to which Chapter III of the Convention applies).

Signed on behalf of the Ministry of

Signature

Date Official Rank

1. Where the use of prepared opium has not yet been suppressed and it is desired to import raw opium for the manufacture of prepared opium the certificate should be to the effect that the raw opium to be imported is required for the purpose of manufacturing prepared opium for use under Government restrictions pending complete suppression, and that it will not be re-exported.

LEAGUE OF NATIONS:

O.D.C./S.C.F./ 3.

SECOND OPIUM CONFERENCE.

Sub-Committee F.

Statement by the Greek Delegation.

The Pan-Hellenic Society of Greek Pharmaceutical Chemists, an officially recognised Association, has the honour to inform you that the quantities of narcotics used annually for therapeutic purposes on the basis of medical prescriptions, by the 1,276 pharmacies in Greece are as follows :-

Opium	1,200 kgs.
Morphine salts	40 "
Heroin	12 "
Dionin	8 "
Pantopon	6 "
Cocaine Salts	65 "
Extract of Indian Hemp-	10 "

I am of opinion that 50% should be added to these quantities to cover the extra requirements due to the increase in the population as a result of the influx of refugees.

LEAGUE OF NATIONS.

O.D.C./S.C.F./4.

Geneva, December 2nd, 1924.

SECOND OPIUM CONFERENCE.

SUB-COMMITTEE F.

Statement by M. TSURUMI. (Japan)

Estimated Quantity for Annual Requirement for Domestic
Consumption of Narcotic Drugs for Japan.

An exact quantity for annual consumption of narcotic drugs of a country for medical and scientific purposes cannot be calculated until all the statistical data are available for this purpose. In the absence of these statistical materials it is not an easy task to reach an estimate for the rate of consumption per capita. However, several methods have been suggested by the mixed sub-committee to investigate the world annual consumption of the narcotic drugs. In this connection it is granted as it has been discussed by the Health Committee of the League of Nations that the quantity of annual consumption of narcotic drugs for a country may be influenced by medical and scientific progress of a country and other factors contributing to it. More over the quantity of consumption of narcotic drugs will fluctuate itself by certain epidemics. By reason of these variabilities in order to reach an estimation it should not be based on the quantity of consumption of a single year, but it should cover the figures for several years.

The Japanese Government have been investigating the matter so as to be able to make an estimation of the quantity for annual requirement for domestic consumption of narcotic drugs. Unfortunately this investigation was interrupted by the earthquake and fire which followed destroying the materials so far collected. For the sake of expediency under the circumstance, the Government selected several prefectures both in Japan-proper and in her territories, which are considered to be fairly normal because of the geographical situation and other factors and investigated the quantity actually sold by the retailers in these districts which have reported to the prefectural authorities and calculated the quantity per capita per year in term of raw opium. Based on the figure thus obtained an estimated quantity for annual requirement of narcotic drugs for medical and scientific purposes for Japan including her territories was calculated.

The estimated quantity for domestic consumption of cocaine was based on the salt of cocaine.

SOCIÉTÉ DES NATIONS

DEUXIÈME CONFÉRENCE DE L'OPIMUM.

Rapport de la sous-commission F sur les recherches effectuées par le Comité d'hygiène à la demande de la Commission consultative du trafic de l'opium au sujet des besoins légitimes en opium et ses dérivés par le Dr. Carrière, président et rapporteur.

La Conférence a constitué une sous-commission spéciale, composée d'experts en médecine, en pharmacie et en statistique "pour examiner le rapport du comité d'hygiène de la Société des Nations relatif aux besoins médicaux en narcotiques et toute autre information ou documentation réunie par le comité préparatoire ou qui pourrait être mise à la disposition de la sous-commission".

Cette Commission a procédé à un examen attentif du rapport qui lui avait été soumis et m'a chargé de rapporter la question devant la première commission. Mais avant de m'acquitter de cette tâche, il me semble qu'il ne sera pas inutile de donner ici un court historique du problème.

Le comité consultatif du trafic de l'opium avait pensé qu'il était indispensable, pour donner une base sérieuse à l'étude de la limitation de la production des stupéfiants, de connaître tout d'abord quelles étaient les quantités de ces produits nécessaires aux besoins légitimes du monde. Une commission mixte composée de membres de ce comité et du comité d'hygiène de la Société des Nations fut chargée d'examiner ce problème en prenant pour

base les données reçues par la section de l'opium de la Société des Nations. Après avoir d'abord défini ce qu'il fallait entendre par besoins médicaux et scientifiques, la sous-commission mixte croit pouvoir fixer ces besoins, calculés en opium brut à 10 % de morphine au chiffre global de 600 milligrammes par tête et par année.

Le rapport de la sous-commission mixte ayant été soumis au comité d'hygiène, celui-ci estima que ce chiffre de 600 milligrammes était trop élevé et le ramena à 450 milligrammes, avec cette réserve que ce chiffre devait être considéré comme un maximum et que, ayant été établi uniquement sur les estimations fournies par des pays ayant un système développé d'assistance médicale, il ne pouvait être appliqué qu'à des pays présentant des conditions analogues.

Le comité préparatoire de la 2ème conférence de l'opium ayant pris connaissance des décisions du comité d'hygiène, s'adresse au président de ce comité pour lui demander de compléter les enquêtes et les renseignements à l'appui du chiffre de 450 milligrammes, de façon à pouvoir justifier ce chiffre devant la future conférence et d'autoriser la section d'hygiène à prendre les mesures nécessaires pour se procurer ces renseignements complémentaires.

La section d'hygiène, déférant à ce désir, a cherché à compléter la documentation en recherchant plus particulièrement quelle était la consommation des opiacés dans les hopitaux et dans les caisses d'assurance contre la maladie. Les données recueillies par elle ont été soumises à une critique attentive par un spécialiste en la matière, M. le Prof. Knaffl-Lenz, de Vienne. Les estimations que M. Knaffl-Lenz a pu déduire de cette étude présentent une

concordance assez remarquable et se rapprochent du chiffre de 400 milligrammes d'opium brut par tête et par année. Cette concordance montre que le chiffre de 450 milligrammes déduit des données fournies par les gouvernements, n'était pas tout à fait arbitraire. Le comité d'hygiène a donc cru pouvoir l'adopter et a exposé sa manière de voir dans un rapport communiqué au président du comité préparatoire. C'est ce rapport que votre sous-commission a eu à examiner et elle a formulé le résultat de cet examen dans les recommandations suivantes :

La sous-commission de la conférence internationale de l'opium, instituée pour examiner le rapport du comité d'hygiène de la Société des Nations au sujet des besoins légitimes en opium et ses dérivés,

estime que ces besoins pourraient être fixés au chiffre global de 450 milligrammes d'opium brut à 10 " de morphine par tête et par année,

étant toutefois bien entendu :

que ce chiffre est un maximum et que, ayant été établi uniquement sur les estimations fournies par des pays qui ont un système développé d'assistance médicale, il ne peut être appliqué qu'à des pays présentant des conditions analogues;

que ce chiffre devant surtout permettre d'aboutir à une réduction de la production mondiale de l'opium et de la fabrication de ses dérivés, c'est uniquement à ce point de vue et non pas au point de vue de la consommation de chaque pays en particulier, qu'il doit être envisagé.

La sous-commission tient en outre à faire remarquer:

que le chiffre de 450 milligrammes ne tient compte que dans une mesure très incomplète des quantités de morphine nécessaires à la fabrication de la codéine, alcaloïde dont le besoin varie dans des limites très étendues d'un pays à l'autre et sur lesquels quelques États seulement ont fourni des données précises;

que ce même chiffre de 450 milligrammes doit être considéré comme s'appliquant seulement aux besoins légitimes normaux et nullement à certaines circonstances exceptionnelles telles que guerres et épidémies qui peuvent augmenter dans une mesure considérable la somme de ces besoins.

Le rapport du comité d'hygiène renferme également des données relatives aux besoins légitimes en cocaïne. Il convient de remarquer que la cocaïne étant surtout employée dans les hopitaux, il est plus facile de se procurer les données précises sur leur consommation que sur celle de l'opium et des opiacés.

Les indications recueillies ont permis de fixer pour les besoins légitimes en cocaïne un chiffre global de 7 milligrammes par tête et par an.

Votre sous-commission, après avoir examiné cette question a cru pouvoir se rallier à ce chiffre de 7 milligrammes, mais en entourant son adhésion des réserves formulées plus haut pour l'opium et les opiacés.

(sig.) Dr. CARRIÈRE
président et rapporteur.

O.D.C. 59.

SOCIÉTÉ DES NATIONS.

DEUXIÈME CONFÉRENCE DE L'OPIMUM.

La Secrétaire de la deuxième conférence de l'opium a l'honneur d'envoyer le premier rapport, O.D.C./S.C.F/ 5(1) de la Sous-Commission F.

LEAGUE OF NATIONS.

SECOND OPIUM CONFERENCE.

The Secretary of the Second Opium Conference has the honour to forward the first report, O.D.C./S.C.F./5 (1) of the Sub-Committee F.

LEAGUE OF NATIONS.

SECOND OPIUM CONFERENCE.

REPORT BY SUB-COMMITTEE "F"

on the enquiries carried out by the Health Committee at the request of the Advisory Committee on the Traffic in Opium into the legitimate requirements in narcotic drugs.

The Conference set up a special Sub-Committee composed of medical, pharmaceutical and statistical experts, "to consider the Report of the Health Committee of the League of Nations regarding the medical requirements in narcotics and all other information which has been collected by the Preparatory Committee of the Second Opium Conference, ^{which} or/may be placed at the disposal of the Sub-Committee".

This Sub-Committee carefully considered the Report submitted to it, and instructed me to report on the matter to the First Committee. But before doing so, it seems to me that it would be useful to give a brief account of the problem.

The Advisory Committee on the Traffic in Opium was of opinion that, in order to provide a reliable basis for the study of the limitation of the production of narcotics, with which the Second Conference had to deal, it was essential to know what were the amounts of these products required for the legitimate needs of the world. A Mixed Commission, composed of members of the Advisory Committee and of the Health Committee of the League of Nations was instructed to examine this problem, taking as a basis the data obtained from the various Governments by the Opium Section of the League of Nations. After defining the expression "legitimate requirements" and recognising that the only legitimate requirements

were medicinal and scientific requirements, the Sub-Committee thought it was justified in fixing these requirements, calculated in terms of raw opium with 10% of morphine, at the round figure of 600 milligrammes per head per year.

The Mixed Sub-Committee's report having been submitted to the Health Committee, the latter, after carefully examining the data on which it was based, considered that the figure of 600 mg. was too high and reduced it to 450 mg. subject to the proviso, however, that this figure should be considered as a maximum, and, since it had been based solely on the estimates furnished by countries possessing a highly developed system of medical assistance, it could only apply to countries in which similar conditions obtained.

The Preparatory Committee of the Second Opium Conference, after noting the report of the Health Committee, requested the President of that Committee to pursue these enquiries and to complete the data on which the figure of 450 mgs. is based, so as to ^{be able to} justify this figure before the future Conference, and to authorise the Health Section to take the necessary measures in order to obtain such supplementary information.

The Health Committee readily complied with this request, and endeavoured to complete its documentation on this subject by applying to a new source, i.e., it sought to ascertain the consumption of opium and opiates in hospitals and by sickness insurance societies. It was believed that the data

supplied by these establishments would attain a greater degree of accuracy than those derived from general enquiries, and that it would be possible to obtain from them data applicable to the whole population. The data collected from a number of establishments and given in Document C.H.264 were submitted to a critical examination by an expert in this matter, Professor Knaffl-Lenz. The estimates which Professor Knaffl-Lenz was able to form after having studied these data show a remarkable concordance and approximate very nearly the figure of 400 mg. of raw opium per head per year. This concordance tends to show that the figure of 450 mg. based on the data furnished by the various Governments was not wholly arbitrary. For the details of these estimates, reference should be made to Doc. C.H.264 quoted above. It should be noted that Table V (p.15) contains certain errors of calculation or printing which should be corrected, for example in the case of Belgium, the quantity of cocaine is 9 mm. (instead of one) and in the case of Poland 6 mm. (instead of 10). The Health Committee, therefore, believed it was justified in adopting it, and has explained its point of view in a report communicated to the Chairman of the Preparatory Committee. This report was submitted to Sub-Committee F for examination and the latter embodied the result of this scrutiny in the following recommendations, after a full discussion both of the report itself and of the documents on which it is based:

The Sub-Committee of the International Opium Conference set up to examine the report of the Health Committee of the League of Nations regarding the legitimate needs of opium and its derivatives;

Considers that these requirements might be fixed at the round figure of 450 mg. of raw opium at 10% of morphine per head per year:

It being understood, however,

That this figure represents a maximum, and as it was established solely on the basis of estimates furnished by countries possessing a highly developed system of medical assistance, it can only be applied to countries where similar conditions obtain;

That since this figure is primarily intended to serve as a basis for the reduction of the world production of opium and the manufacture of its derivatives, it must be considered solely from this point of view and not from the point of view of the consumption in each individual country.

The Sub-Committee would, moreover, point out:

That the figure of 450 mg. only very inadequately allows for the quantities of morphine necessary for the manufacture of codein, as the requirements of this alkaloid vary widely in different countries and only a few States have supplied accurate information with regard to it.

That the figure of 450 mg. must be considered as applying only to the normal legitimate requirements and not to certain exceptional circumstances, such as wars or epidemics, which may considerably increase the sum total of these requirements.

The Health Committee's Report also contains data regarding the legitimate requirements in cocaine.

The Committee, after examining the data (also to be found in Doc. C.H.264) supplied by a certain number of States, allowed a round figure of 7 mg. per head and per year for the legitimate requirements in cocaine. Sub-Committee F. considered that it could agree to the figure of 7 mg., but qualified its agreement by the reservations formulated above regarding opium and its derivatives.

The present report, when submitted to Sub-Committee F, was accepted by the majority of its members. One of them, however, voted against it, giving the following reasons:-

"Any attempt at estimating the requirements of the world in narcotics should be finally given up, because such an estimate must be based on data applicable to certain countries only.

"Moreover, such a limitation of narcotics would have serious drawbacks for patients on account of the increase in prices which would result, and of the probability that part of these indispensable drugs would be monopolised for purposes of contraband.

"It would seem that a close supervision by a Central Board of the statistics referred to in Article 4 of the proposal would provide a sufficient, and more reliable, basis for effectively combatting the abuse of narcotics."

Another member of the Sub-Committee stated that while admitting the possibility of fixing legitimate requirements of narcotics, he could not agree to the figures contained in the present report.

For sub-Committee F,

(Signed) Ir. A. Carrière.

Chairman and Rapporteur.

LEAGUE OF NATIONS.

O.D.C./S.C.F. 6.

SECOND OPIUM CONFERENCE.

Sub-Committee F.

ESTIMATE OF THE LEGITIMATE REQUIREMENTS
OF OPIUM AND ITS DERIVATIVES.

Dr. F. BUSTAMANTE.

Spanish Delegation.

The principal task before the present Conference is the limitation of the use of opium and cocaine to legitimate needs in order to prevent abuse.

Most countries are now suffering to a greater or less degree from the demoralising effects of these drugs and have taken steps to prevent this evil, which today can still be remedied, but which may before long rob the human race of that superior brain-power which differentiates it from all other living things.

As was pointed out by our distinguished President, His Excellency, M.H. Zahle, in his eloquent inaugural address, nine-tenths of the world production is for illicit purposes. M. Zahle urged that the first step taken should be to establish a parallel between production and legitimate consumption in order to arrest the tendency towards reckless and disastrous over-production, which places gain before the welfare of humanity.

Logically, or rather if the administrative machinery of the different Governments were less complex, the evil with which we are dealing could be suppressed simply by means of strict regulations, and the disproportion between excessive production and legitimate use would be - or would eventually be -

be - automatically adjusted. It is clear proof, however, that measures of this kind are not sufficient, that despite the steps which have been taken to remedy it, the evil not only continues, but is increasing.

If heavy penalties are not sufficient to deal with this regrettable state of affairs, the only possible means is to establish compulsorily what vice, heedlessness, slow suicide disguised homicide and cynical commercialism in particular have so far prevented.

We can find the amounts used for illicit purposes by subtracting the amount used for medicinal and scientific purposes from the total production. If we determine the exact amounts required for legitimate purposes, we shall have solved, by the only practical means, the unknown factor in the equation.

The next point is whether it is possible to determine with sufficient accuracy the exact needs of each country. Certainly it is.

When each country, given the necessary time, and following a uniform procedure, has compiled complete statistics of its consumption, we shall be able to calculate exact world requirements, and we can then attack the root of the problem.

Has this stage yet been reached?

To answer this question, I will ask you to look at document O.D.C. I (1). I will not refer to Part I, where, under the heading Medicinal Opium (page 18) (column 10) Quantities actually consumed, there are a few scattered figures referring to two years at most; nor will I refer to Morphine, Morphine Salts and the following tables, where the heading "Quantities consumed" becomes "Quantities available for consumption" (column 7), which is by no means the same thing. I desire to refer only to Part II of document O.D.C. I (1).

Omitting the methods of calculating the equivalent in raw opium, which, except as regards morphine, have been criticised by one of my learned colleagues, we find that paragraph 3 reads as follows: "In the figures given in the following tables the amount of opium or morphine necessary for the manufacture of codeine required for legitimate consumption has not, in all cases, been supplied owing to codeine not being a drug to which the Convention of 1912 applies."

Paragraph 4 states: "The systems made use of in the various countries for arriving at a figure of estimated annual requirements are not the same."

In paragraph 11 it is stated that the figures supplied by the Governments of Poland, Austria, Germany and Switzerland considerably exceed the average figure for consumption established by the Committee. Finally, in Table II, on page 54 of the above-mentioned document, entitled Total Estimated Requirements per 100,000 inhabitants and per capita shown as Raw Opium Equivalent and Morphia Equivalent, no account has been taken, as regards any of the countries mentioned, of the consumption of narceine, papaverine and their derivatives - the use of narcil is general - while certain preparations which, like pantopon and Paveron, are very frequently employed because their noxious effects are slight, have also been omitted.

No, Gentlemen, I desire to claim your attention for a few moments in order to show clearly and definitely that in any attempt to estimate the legitimate requirements of these substances, account must be taken of all compounds which are used and all derivatives which are employed, because if any are left out of account and still continue in use, the value of the methods of calculating the reduction in output might be so impaired as to give rise to mistakes in the quantities estimated.

For this reason the most natural course would be first to define and specify what products containing opium should be manufactured, regardless of whether or no they should figure in the Convention.

These considerations constitute an affirmative reply to the question whether we can yet definitely fix the figure for the world's consumption of narcotics.

Whatever quantity, therefore, may be adopted as legitimate on the basis of the present figures, most countries will agree, with certain reservations, that a stock should be held, sufficient to supply their needs at all times. But even if this stock is arranged for, it will be as hard to fix its quantity as to justify its existence.

We must, nevertheless, persevere in our present policy. I believe that whenever the State takes direct action in regard to the manufacture and distribution of these substances, it reduces the possibility of illicit traffic.

We must ^{/strictly} control international trade in these substances by the creation of a Central Board and the institution of a distinctive form for consignments in conjunction with whatever measures each country may consider expedient in the light of further facts.

Spain strongly desires that all difficulties should be removed, and will do her utmost to help to abolish this great evil. Indeed, if the Health Committee, whose work is deserving of all praise, believes that the adoption of the figure 0.45 grammes would help, Spain will vote in favour of this quantity, provided that, if her legitimate requirements justify a larger quantity, this will be granted her.

LEAGUE OF NATIONS

SECOND OPIUM CONFERENCE

SUB-COMMITTEE "F"

Proposals submitted to Sub-Committee "F" by the
Committee of Exports appointed for this purpose.

Chapter I. Definitions.

By coca leaves is understood:-

The leaves of Erythroxylon coca Lamarck and the
Erythroxylon novogranatense (Morris) Hieronymus of the
family of Erythroxylaceae, and the leaves of other vegetable
species of this genus from which it may be found possible
to extract cocaine either directly or by chemical trans-
formation.

Any other vegetable raw material which may serve
for the preparation of cocaine will be put in the same
position as coca leaves.

By/

By cocaine is understood:-

Methyl-benzoyl laevo-ecgonine (alpha D 20° - 1 - 16° 4)
of which the formula is $C_{17} H_{21} NO_4$.

The Sub-Committee proposes that the following
new paragraph be added to Article XIV, Chapter III.

To crude cocaine, to laevo-ecgonine ()
considered as raw material, and to all the other products
derived from laevo-ecgonine which might serve industrially
for its recovery.

The Sub-Committee proposes to consider later the
other paragraphs of Article 14.

LIGUA OF NATIONS.

SECOND OPIUM CONFERENCE.

Sub-Committee F.

Memorandum of the Hellenic Delegation to the Second
Opium Conference.

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The Hellenic Delegation to the Opium Conference has the honour to inform the other delegations to this Conference that no opium is consumed in Greece. There are no opium smokers in the country and the drug is only used for medical purposes. For several years now a law has been in force in Greece concerning the production and traffic in opium, morphine, heroin, cocaine, their salts, derivatives, etc.,.

The following is a short summary of its provisions.-

"The cultivation of the papaver somniferum as well as the traffic in the above mentioned narcotics are placed under State Control (Article 1).

"The papaver somniferum may only be cultivated by special permission (Article 2).

"The producer of opium must declare the quantity of opium and the names of the persons to whom he has sold his product (Articles 2 and 3).

"Opium may only be sold to merchants, manufacturers, pharmacists and chemists provided a special permit is issued by the Supreme Public Health Council, pharmacists may only be supplied with a quantity sufficient for one year (Articles 4 and 5).

"Merchants, chemists and manufacturers must keep special books for all their transactions in opium (Article 6). They

must also submit to inspection in conformity with the law (Article 15).

"The ports for the exportation of opium are designated by a decree (Article 7).

"It is forbidden to export opium to countries in which the importation of opium is prohibited (Article 16).

"Exporters of raw opium or opium for pharmaceutical purposes and extracts or preparations of opium in general must obtain an export permit showing the quantity of the goods and their destination (Article 9). All quantities above 5 kilogrammes must be sealed by the competent authorities (Article 11).

"No raw opium or opium for pharmaceutical purposes may be imported within special permission (Article 10). The importation of prepared opium is absolutely prohibited. (Article 12).

"The sale and use by pharmacists of opium morphine, cocaine and their salts is regulated by Law No. 1626, concerning the sale of poisons. (Article 13).

"Opium, morphine, cocaine, heroin and their salts may not be used for any purposes other than medical purposes (Article 14).

"The preparation of cocaine, morphine and their salts in chemical or industrial laboratories is only allowed by special permission (Article 16). Special permission has also to be obtained for the importation, sale and exportation of these drugs, (Article 17). Persons engaged in such business must keep special books (Article 18).

"Permission to export morphine and cocaine and their salts is only granted on the production of a certificate issued by the authority of the locality to which they are consigned attesting that the consignee is duly authorised in accordance with the laws of the country to take delivery of these goods (Article 19).

The provisions of Articles 16, 17, 18 and 19 are applicable: 1) to opium for pharmaceutical purposes, 2) to all preparations containing a quantity of morphine greater than 0,2% or of cocaine greater than 0.1%, 3) to heroin - 1%, 4) to all new preparations having as their basis morphine, cocaine or their salts, 5) to any other narcotic which may subsequently be designated in a decree (Article 20).

"Persons contravening the provisions of this law are liable to imprisonment for terms varying from one month to a year, and fines varying from 500 to 5,000 drachmas.

"If the offence is repeated, these penalties may be doubled. (Article 22).

Opium is practically no longer cultivated in Greece, its place having been taken by tobacco, which is more remunerative. According to official statistics, the official production does not exceed 260 kilos. But a large quantity of opium produced in Yugoslavia passes in transit through the Greek port of Salonika for export abroad, principally to America, France and Germany.

According to the statistics drawn up by the Pan-Hellenic Pharmaceutical Society of Greece - which is an officially recognised body - the quantities of narcotic medicaments employed annually in Greece for therapeutical purposes by the 1,276 pharmacists in Greece, in conformity with doctors' prescriptions, for a population of about 5,000,000 inhabitants, are as follows:-

Opium	kilos.	1,200
Salts of Morphine	"	40
Heroin	"	12
Dionine	"	8
Pantopon	"	6
Salts of Cocaine	"	65
Ext. Cannabis Indica	"	10

To these quantities 50% must be added for the requirements of the increased population due to the influx of refugees, and for hospital purposes.

The Hellenic Government, being desirous of assisting in the suppression of the traffic in dangerous drugs, has submitted to the Standing Committee of the National Assembly a draft law, the effect of which would be to make all narcotics a monopoly.

We give below the full text of this draft law.

DRAFT LAW CONCERNING THE TRAFFIC IN OPIUM AND THE
SALE OF DRUGS.

Article 1. The importation into Greece of opium, opium derivatives (morphine and morphine salts, dionine, heroin, pantopon &c), cocaine, cocaine salts and extract of Indian hemp, is prohibited, as is the transit of such narcotics. Medical preparation of opium and coca leaves (extracts, tinctures) must be made up by Greek pharmacists.

Article 2. The Ministry of Finance shall be responsible for the purchase of the said products according to the requirements of the State, after their purity has been tested in accordance with the Greek Pharmacopœia II.

Article 3. The total annual production of Greek opium shall be notified by the inspectors to the Ministry of Finance, which, after having tested the drug in accordance with the provisions of the Greek Pharmacopœia, shall purchase it, if the price is a fair one. Otherwise the Ministry shall hold a public auction for the sale of the opium.

If the percentage of morphine is in excess of that laid down in the Greek Pharmacopoeia, the price of the opium shall be fixed with due reference to such excess amount. All things being equal, the State shall give preference to Greek opium and Greek products of opium and coca leaves.

Article 4. Greek pharmacists shall alone be entitled to obtain the said products from the chemical laboratories of the Ministry of Finance. The annual quantity required by each pharmacist shall be fixed by the Supreme Health Council and shall be retailed as required. Every pharmacist shall be provided with a special book in which the amounts shall be entered as they are purchased.

Article 5. The balance of any native opium may be exported abroad by permission of the Ministry of Health, which shall be informed of the factory or firm to which it is to be consigned. Export details will be fixed by Presidential decree.

S O C I E T E des N A T I O N S .

O. D. C. / S. C. F. / 9 (1).

DEUXIEME CONFERENCE DE L'OPIMUM .-

Sous - Commission "F".

Proposition du Dr PERROT pour la nouvelle rédaction du
paragraphe (d) révisé.

(d) à tout autre dérivé de la morphine ou de la cocaïne,
et à tout autre alcaloïde de l'opium ou des feuilles de coca et
à tout stupéfiant dont l'usage immodéré donnerait lieu à des
abus analogues et aurait pour résultats les mêmes effets nuis-
sibles, reconnus comme tels par les Assemblées médicales offi-
cielles des diverses nations ou par tout autre organisme médical
compétent

(d) To every other derivative of morphine, of cocaine or
to every other alkaloid of opium or of coca leaf and to every
narcotic the immoderate use of which might give rise to similar
abuse and be productive of like ill-effects, recognised as such
by the official medical bodies of the various countries or by any
other competent medical body.

LEAGUE OF NATIONS.

O.D.C./S.C.F./10 (1)

SECOND OPIUM CONFERENCE.

SUB-COMMITTEE F.

Amended Text of O.D.C./S.C.F./ 10.

The Council of the League may, on the recommendation of the Health Committee of the League after consultation with the International Health Office, in the same manner as is provided in para (e) above, communicate to the Contracting Powers a list or lists of preparations containing morphine or cocaine which (such as those solely for external use) cannot give rise to the drug habit on account of the medicaments with which these narcotics are compounded and which preclude the recovery of the narcotics, and these preparations may then be regarded as exempted from this Article.

O.D.C./S.C.F./11(1)

LEAGUE OF NATIONS.

SECOND OPIUM CONFERENCE.

Sub-Committee F.

ADDITION TO ARTICLE 14.

The following opiated officinal preparations may be delivered to the public, on the responsibility of the chemist, without a medical prescription and as medicines for urgent use, but only in maximum doses corresponding to 50 centigrammes of officinal opium and subject to the book-keeping regulations with regard to narcotics: tincture of opium, Dover powder and Sydenham laudanum.

SOCIÉTÉ DES NATIONS.

DEUXIÈME CONFÉRENCE DE L'OPIUM.

Sous-Commission "F".

ADDITION A L'ARTICLE 14.

Peuvent être délivrés au public, sous la responsabilité du pharmacien, sans prescription médicale et à titre de médicaments d'urgence, les préparations galéniques opiacées: teinture d'opium, poudre de Dover, Laudanum de Sydenham, - mais seulement à une dose maximum correspondant à cinquante centigrammes d'opium officinal, sous réserve de l'observation des règlements concernant la comptabilité des stupéfiants.

O.D.C./ S.C.F./12(1)

LEAGUE OF NATIONS.

SECOND OPIUM CONFERENCE.

SUB-COMMITTEE F.

New Draft of Paragraph (e) to Article 14.

To any new derivative of morphine or cocaine, and any other alkaloid of opium or the coca leaf, and any other narcotic drug, which may be declared in the manner following to be liable to similar abuse and productive of like ill-effects:- the existence of these ill-effects and abuses shall be declared by the Health Committee of the League of Nations, after consultation with the International Health Office. In the event of such a declaration, the decision of the International Health Office shall be communicated by the Health Committee of the League of Nations to the Council of the League, which shall inform the Governments accordingly and recommend their acceptance of it.

LEAGUE OF NATIONS

O.D.C/S.C.F/13.

SECOND OPIUM CONFERENCE

SUB-COMMITTEE F.

Proposal by Dr. F. Bustamante
Spanish Delegate

Article 14 of the Convention

In view of the great importance of this Article, dealing as it does with those substances which have led to the convening of the present Conference, and which furnish the justification for the Conference, I think ladies and gentlemen, that the Article should be drafted in the clearest and most definite terms, in order to obviate the possibility of any infraction of its provisions and to prevent any misunderstanding.

I do not think that we should aim at too finished a style. We should not be too concise, for brevity is generally ambiguous. We should endeavour above all to render the Article in question as clear as possible, although in what I have said I am not reflecting on my distinguished colleagues, who I admit possess the qualities of literary style and precision.

As we are all in agreement on this point and are convinced of the urgent necessity of reducing the production and manufacture of the basic products, opium and coca, we

must place certain restraints on the international trade in, and the importation of, pharmaceutical specialities containing even the smallest proportion of these substances or their derivatives.

Finally, I am of opinion that all nations signatories of the Convention, should embody certain uniform, general principles in their internal regulations, specifying the maximum content and the pharmaceutical formula of preparations which may be sold freely, that is to say, without a doctor's prescription.

Consequently, I think the Article in question might be drawn up as follows:

The Contracting Parties shall apply the laws and regulations respecting manufacture, import, export, sale or distribution, to the following substances:-

1. Medicinal opium, - extract of opium - alkaloids of opium and opium salts. Heroin and its salts. Dionine, Narcil, eucodad, dicodid.
2. Coca leaf. Extract of coca. Ecgonin, cocaine and its salts.
3. All substances besides those enumerated above, which may lead to toxicomania. The competent organ of the League of Nations will give a list of these substances for the purpose and publish them in its Official Bulletin, and they shall be considered as included in the Convention immediately on publication.
4. All pharmaceutical specialities, containing any proportion of the above-mentioned substances, and such specialities as the competent organ of the League of Nations may state to be harmful.

For use within the country, the following may be sold without a doctor's prescription:-

- (a) Plasters, ointments, sticks, pomades and capsules, when the quantity of opiates, on the basis of medicinal opium, does not exceed 3%.
 - (b) Syrups, pills, pastilles and tablets, containing less than 2% of opium, 0.1% of heroin or cocaine and its salts, 0.2% of morphine or 1% of codeine.
-

LEAGUE OF NATIONS.

O.D.C./S.C.F./15.

2nd OPIUM CONFERENCE.

Sub-Committee "F".

Note from the British Delegation regarding certain
proposed additions to Article 14.

(1) The British Delegation submits the attached revised text in substitution for the new draft of paragraph (e) of Article 14. - document O.D.C./S.C.F./12/(1).

The British Delegation is of opinion that the declaration should be made by the International Health Office, which contains representatives of Governments not Members of the League, and is also the advisory health council of the League, and that the Office in coming to a decision should have before it the views of the Opium Advisory Committee as well as of the Health Committee of the League.

The British Delegation is also of opinion that some provision should be added to make it clear whether acceptance of the decision of the International Health Office by all the Signatory Powers is to be necessary before the new derivative, alkaloid or drug is regarded as included in the Convention, or whether it is to be regarded as included when a certain number of Powers have signified their acceptance, so far as regards those Powers. The British Delegation suggest that the latter course should be adopted.

(2) The British Delegation also submits the attached revised text of the proposed paragraph dealing with the means of exempting harmless preparations of the drugs from the scope of the Convention (present text on page 4 of minutes of ninth meeting - O.D.C./S.C.F./P.V.9).

The alterations are in conformity with those suggested above, and are made for the same reasons.

New Draft of paragraph (e) to Article 14.

(This draft shows the alterations from the text in O.D.C./S.C.F./12 (1): words to be omitted are crossed out - shall words to be added are underlined - in the.)

To any new derivative of morphine or cocaine, and any other alkaloid of opium or the coca leaf, and any other dangerous drug, which may be declared in the manner following to be liable to similar abuse and productive of like ill-effects:-

The existence of such ill-effects and abuse in the case of any such derivative, alkaloid or drug shall may be declared by the Health-Committee-of-the-League-of-Nations , after-consultation-with the International Health Office after consideration of the views of the Opium Advisory Committee and Health Committee of the League and any other representations that may be submitted to them. In-the-event-of Such a declaration the-decision-of-the-International-Health-Office shall be communicated by-the-Health-Committee-of-the-League-of-Nations to the Council of the League, which shall inform submit it to the Governments Contracting Powers accordingly-and-recommend for their acceptance of-it.

Every Contracting Power which accepts the declaration shall notify its acceptance to the Secretary-General of the League, and as soon as (ten) Powers have notified their acceptance, the derivative, alkaloid or drug shall be deemed to be included in the Convention as between the Contracting Powers which have notified their acceptance. The acceptance may be made conditional on the acceptance of the declaration by any other Contracting Power or Powers.

Amended text of paragraph on page 4 of the Minutes
of ninth meeting (O.D.C./S.C.F./P.V.9).

(The alterations from the present text are shown in
all cases: words to be omitted are crossed out - "the - and
words to be added are underlined - after.)

~~The Council of the League may, on the recommendation of
the Health Committee of the League after consultation with
The International Health Office~~ may, ~~in the same manner as is
provided in paragraph (c) above, communicate to the Contracting
Powers a list or lists of~~ after consideration of the views of
the Opium Advisory Committee and Health Committee of the League
and any other representations that may be submitted to them,
declare that a specified preparation containing morphine or
cocaine is one which cannot give rise to the drug habit on
account of the medicaments with which these narcotics are
on the ground that the morphine or cocaine is compounded with
substances which make abuse impossible and which that the
composition is such as to preclude the its recovery of the
narcotics, and any Contracting Power shall then be at liberty
to regard the preparation may then be regarded as exempted
from this Article.

LEAGUE OF NATIONS.

O.D.C/S.C.F/16.

SECOND OPIUM CONFERENCE.

SUB-COMMITTEE F.

Statement by the Spanish Delegation.

Article 14 of the Convention.

Unless I have misread the excellent report presented by Professor Perrot, Rapporteur to Sub-Committee F, Article 14, according to the new draft (Document O.D.C/S.C.F/14), refers to medicinal opium, heroin, morphine, cocaine and its salts, excepting preparations (officinal and non-officinal) containing less than 0.2 per cent of morphine or less than 0.1 per cent of cocaine. Egonine also, as the basis for the preparation of cocaine, has been included by unanimous agreement in Article 14.

According to the new Article (e), formerly (d), the object of which is to include within the future Convention other substances capable of engendering injurious habits, the Health Committee of the League of Nations, after consultation with the International Health Office, will communicate any agreements concluded to the Council of the League, which, in its turn, will inform the respective Governments and recommend to them the acceptance of these conclusions.

From all previous statements it is to be concluded that so far, we may safely include among narcotic substances only medicinal opium, morphine, heroin and cocaine.

It will be necessary to await the recommendation of the Council of the League of Nations before including in the Convention narcein, narcil of eucodal and dicodide, to mention

only a few of these products, which are unanimously admitted to be capable of engendering injurious habits.

It is indisputable that the competent organ of the League of Nations must make good our omissions and keep an eye on the future, and I agree that for the moment the Convention should include substances chemically defined and unanimously recognised as toxic. I also, consider that, unless the work of the League of Nations organ in this direction is to be rendered barren, its conclusions should not be in the nature of recommendations, but should be unanimously accepted as from the date of their publication.

The proposal that preparations containing less than 0.2 per cent of morphine and less than 0.1 of cocaine should be excepted without fixing the pharmaceutical formula, and then in another part of the text, that the competent organ of the League of Nations should be entrusted with the drawing up of lists of preparations which, although containing morphine and cocaine, cannot engender injurious habits owing to the nature of the medication with which the narcotic is mixed, I find difficult to understand.

Towards the end of the document in question we find these words; " The following opiated officinal preparations may be delivered to the public, on the responsibility of the chemist, without a medical prescription and as medicines for urgent use, but only in maximum doses corresponding to 50 centigrammes of officinal opium..... tincture of opium, Dover powder and Sydenham laudanum".

It might be argued that, by making the chemist responsible in these cases, the latter could more often than not evade the responsibility attaching to his

profession. Dover powders are mentioned as a medicine for urgent cases. I do not know about other countries, but in Spain they are sometimes used as a diaphoretic, and even for this purpose they are not the medicine most recommended. By permitting the sale of Sydenham laudanum or tincture of opium to the amount of 5 grs (for this volume contains the 50 centigrammes) without a medical prescription, it seems to me that we are encouraging the evil that we are seeking to remove, since the drug addict by visiting several chemist's shops may succeed in collecting an appreciable quantity.

There is another consideration to be urged against the free sale of this preparation, and that is the high degree of sensitiveness of small children to opiate compositions. No one would accuse a chemist of carelessness, should, for example, an ignorant mother who has some tincture of opium at hand give to her little son in order to soothe him, a quantity sufficient to cause serious trouble.

It is, I think, reasonable that the public should have free access to certain preparations which contain toxic substances. In order to avoid abuse, however, it is necessary to specify the maximum percentage of the active product as well as the method of pharmaceutical preparation, in view of the ease with which the poison can in some cases be extracted, as, for example, from aqueous or physiological solutions.

I also think that pharmaceutical preparations intended for export and containing some product capable of engendering an injurious habit, should be subject, apart

from the percentage proportion of these substances, to the same obligations as the pure products. I strongly recommend this measure to my colleagues in order, if possible, to check the excessive manufacture of such preparations.

CONCLUSIONS.

1. It would be expedient to draw up a nominal list of the chemical substances and combinations chemically defined and recognised as narcotic.

2. It would be desirable to include in the Convention all the toxic substances quoted by the competent organ of the League of Nations in its official bulletin, as from the date of their publication.

3. There should also be included all pharmaceutical preparations containing any quantity of substances capable of engendering injurious habits.

For domestic use within the country it should be permissible to sell without a medical prescription.

a) Official preparations for external use, the amount of medicinal opium in which does not exceed 3 per cent.

b) Official preparations for internal use containing less than 2 per cent of opium, less than 0.2 per cent of morphine and less than 0.1 per cent of heroin or cocaine.

1) (with the exception of pure or saline solutions of all substances capable of engendering injurious habits).

LEAGUE OF NATIONS.

O.D.C/S.C.F/17. (1)

SECOND OPIUM CONFERENCE.

Sub-Committee F.

Report concerning Indian Hemp.

Rapporteur: Prof. PERRET.

Sub-Committee F, to which the full conference had submitted the question of Indian hemp and various preparations derived from it, known under the names of Hashish, chira, charas, etc., has considered the reports of the delegates for Egypt and Turkey.

The abuse of these preparations (which are chewed or eaten) and the smoking of the drug are specially dangerous, since their immoderate use due to addiction leads to troubles at least as serious as those caused in similar conditions by the use of opium and its derivatives.

Moreover, certain preparations now frequently contain opium and highly toxic substances, such as nux vomica, datura, cantharides, etc.

A number of Governments have already brought Indian hemp and preparations of Indian hemp under the regulations for dangerous drugs, and have in this way restricted traffic in these substances exclusively to medical and scientific requirements. The quantity required for these latter purposes would appear to represent only a very small part of the total output. The actual proportion can only be accurately determined by statistics.

Sub-Committee F is of the opinion that the campaign against these narcotic products must be organised on international lines.

It should, however, be remembered that all derivatives of hemp are capable of providing, in addition to products injurious to public health, fibres which can be used in industry (cloth, cordage, matting etc.,) and that the oil seeds may also be employed

for domestic purposes.

That being the case, it would not appear to be an easy matter to limit the amount grown. An effort should, however, be made to adopt drastic measures with a view to prohibiting the growing of specially poisonous species and completely abolishing the traffic in the resin.

While effective practical measures could apparently be taken fairly easily in highly developed countries this is not the case as regards Central Africa and Central Asia.

The growing of Indian hemp is prohibited by the Ottoman Government and the Governments of Egypt, Greece and a few other countries, while the protecting powers have issued severe measures in Africa to achieve the same result, measures the enforcement of which will serve as a test of their administrative capacity and their influence on the natives in the centre and south of the continent.

The Sub-Committee appointed a Committee of Experts to examine the question and to submit proposals. The latter thought that it was necessary to distinguish three points of view:

1. The establishment of a definition of Indian hemp;
2. The establishment of a distinction between the raw material and the resin extracted by various processes, the latter constituting the most dangerous drug;
- and 3. The question of restricting its use to medical and scientific needs.

After discussion and after consideration of the observations of the delegates of Great Britain and India the following definition, which is in conformity with the terms used in the British Pharmacopoeia, was adopted, together with an addition concerning various appellations in use in the different countries.

"Indian hemp" is understood to mean;

The flowering or fecundated tops of the female plant of cannabis sativa L. from which the resin has not been extracted, under whatever denomination it is employed in commerce".

The question of the raw resin (charas) gave rise to a long discussion and the Sub-Committee on being consulted decided in principle that it would be well to recommend that all traffic in it should be prohibited as well as traffic in all preparations of which it forms the basis. The Sub-Committee considered that it was impossible to designate them all by reason of the numerous and varied names by which they are known in the different countries and decided merely to designate them as a whole, mentioning some of the best known among them: hashish (Arabian and Egyptian) esrar (Turkish), chira (Tunisian), and diamba (Brazilian).

The Rapporteur observed that as this raw resin and the preparations derived therefrom were not susceptible of any medical usage, there was no reason why the proposal should not be adopted. The Sub-Committee, however, desired to reserve the question of possible medical utilisation and in the end adopted the following text:

6. The use of Indian hemp and the preparations derived therefrom may only be authorised for medical and scientific purposes. The raw resin (charas), however, which is extracted from the female tops of the cannabis sativa L., together with the various preparations (hashish, chira, esrar, diamba, &c.) of which it forms the basis, not being at present utilised for medical purposes and only being susceptible of utilisation for harmful purposes, in the same manner as other narcotics, may not be produced, sold, traded in, &c. under any circumstances whatsoever.

This resolution was adopted unanimously, three delegates abstaining from voting. The British Delegation, although anxious that all drugs susceptible of being drugs of addiction should be subjected to the strictest measures of national and international control, was unable, without giving the matter more careful consideration, to accept the conclusions contained in paragraph 6.

Translation.

O.D.C./71 (2).

LEAGUE OF NATIONS.

SECOND OPIUM CONFERENCE.

Report of Sub-Committee F. adopted January 28th,
1925.

Rapporteur : Prof. PERROT.

Sub-Committee F. received instructions from the plenary meeting of the Second Opium Conference to examine a number of points mainly bearing upon the definitions contained more particularly in Chapters I and III of the suggestions submitted by the United States of America and upon the questions raised by the application of the provisions of the Convention to the various toxic substances under discussion, including both those already known and those which science might discover possessing similar properties.

The Sub-Committee took as a basis of its investigations the text of the International Hague Convention, examining in respect of each article submitted to its consideration the modifications or additions proposed by the various Delegations.

1st Question.

Legitimate requirements as regards opium, coca leaves and their alkaloids.

This question was the subject of a special report by the Chairman of the Sub-Committee, which has already been distributed to Sub-Committees A, B, C, and D. and to which there is no reason to revert here.

End Question.

Codein.

In order more particularly to facilitate the preparation of statistics of the manufacture and utilisation of opium for medical and scientific purposes, the Delegate of the United

States asked that codein should be included among the substances covered by the laws and regulations of the Convention. It was agreed after a discussion that codein was a derivative of morphine and that its properties prohibited it from being either medically or scientifically reckoned among narcotics, but that, as dangerous substances with trade names similar to codein (oxcodal, dicodide) were like codein products obtained from morphine, it was desirable to define what was to be understood by derivatives, and to draft paragraph (e) of Article 14 in such form that no new product possessing habit-forming narcotic properties might either now or in the future be excluded from the provisions of the Convention.

In view, however, of the use of large quantities of morphine in the manufacture of codein and possibly of other non-narcotic derivatives, it is very necessary to be able to control the quantity of morphine thus used.

On the proposal of the French Delegation the Committee adopts the following resolution:

"In order to exercise as strict a control as possible over the manufacture of narcotic alkaloids of opium and the coca leaf, the Contracting Parties undertake to adopt any measures enabling them to ascertain the quantity of these alkaloids transformed into non-narcotic derivatives."

3. Definitions.

Discussion on this point was confined to the technical import of the terms employed. No alterations were made which weakened the definitions of the International Hague Convention (Chapter 3), but it was decided to make the addition proposed by the American Delegation to Article 14. Ecgonine, which is, so to speak, a secondary raw material in the manufacture of cocaine, cannot possibly be confused with any substance under this name, but it seemed to all the Delegates that this substance must necessarily come under

the provisions adopted for the manufacture and traffic in narcotic drugs.

The Committee finally adopted the following definitions, which it had been asked to give by the plenary meeting:

By coca leaf is understood:-

The leaf of erythroxyton coca Lamarck and the erythroxyton novogranatense (Morris) Hieronymus and their varieties of the family of erythroxyllaceas and the leaf of other species of this genus from which it may be found possible to extract cocaine either directly or by chemical transformation.

Any other vegetable raw material which may serve for the preparation of cocaine will be put in the same position as coca leaves.

By cocaine is understood:

Methyl-benzoyl laevo-ecgonine (α D.20 = $16^{\circ}4$ in 20% solution of chloroform) of which the formula is $C_{17}H_{21}NO_4$.

The Sub-Committee observes that the scientific definition, accompanied by the formula and the rotatory power quite certainly applies equally to synthetic cocaine.

4. Article 14.

As regards the examination of this extremely important Article, in respect of which Sub-Committee F. had been furnished with numerous documents, the Sub-Committee decided to entrust the preparatory work to a small Committee of specially appointed experts, specifying of course that all the Delegates of Sub-Committee F. might be present at its deliberations.

The Rapporteur of this Expert Committee was requested to submit to Sub-Committee F. as soon as he could as clear a statement as possible of the view of the different Delegates showing the solutions favoured more or less unanimously by the members entrusted with this mission.

Before starting the actual discussion of Article 14, Sub-Committee F., reverting to the word "derivatives" which the American Delegation had added to most of the articles (e.g. Articles 9, 10, 11, 12, 13 and paragraph 1 of Article 14) decided to reject the insertion

of this word in the Articles of the Convention, since if the expression was not limited exclusively to the dangerous derivatives aimed at by the Convention which are already known or may be discovered, this expression would constitute in the case of some of those derivatives a serious technical error. By allowing this word to stand, we should end by including within the scope of those provisions of the Convention products which have a totally different medicinal effect, or which are in any case not dangerous in the sense of those drugs we are considering.

For the same reason the sub-Committee also asks those responsible for drafting the American plan to add the word "certain" in the third line of paragraph 1, supposing the preamble became an official document of the Convention, and to say "that the use of opium and certain opium products".

In the first paragraph of Article 14 the Sub-Committee accepts the addition proposed in the American draft of the words:- "distribution, delivery".

This paragraph will, therefore, run as follows:

"The Contracting Parties shall apply the laws and regulations respecting manufacture, import, sale, distribution, delivery, or export to morphine, cocaine, and their respective salts".

The Sub-Committee draws the Drafting Committee's attention to this paragraph and asks whether the word "re-exportation" could not be introduced in order that every kind of transaction, including return to the country of origin, in case of non-acceptance for example, may be provided for.

Sub-paragraph (a), referring to medicinal opium, is unchanged, but the Committee inserts in (b) the definition of crude cocaine and ecgonine as follows: "to crude cocaine, to laevo-ecgonine (Alpha) $D.20^{\circ} = 45^{\circ} 6$ in 5% solution of water of which the formula is $C_9 H_{15} O_3 NH_2$ considered as raw material, and to all the derivatives of laevo-ecgonine, which might serve industrially for its recovery".

The Sub-Committee then proceeded to consider the other paragraphs of Article 14.

The old paragraph (b) which now becomes (c), and which deals with official preparations, gave rise to a lively discussion and numerous proposals. Some countries, particularly France, observed that, while they associated themselves unreservedly with the establishment of severe measures with a view to overcoming the drug habit and its mischievous and terrible effects, it was at the same time necessary not to hamper the perfectly honest and legitimate practice of pharmacy, both for domestic purposes within the country and in relation to export.

From the very beginning of the discussion many Delegates suggested that a special paragraph relating to possible exemptions should be added at the end of this article, and this point of view finally prevailed.

With this reservation, the adoption of the text of the Hague Convention was decided on without modification.

The text is as follows:

(e) to all preparations (officinal and non-officinal, including the so-called anti-opium remedies) containing more than 0.2% of morphine, or more than 0.1% of cocaine.

The Sub-Committee considered that the Hague Convention having served since 1912 to establish the present practice, which is already consecrated by use, no new fact could justify the alteration of this wording.

Paragraph (d) which was formerly (c), refers to heroin, and the Sub-Committee decided unanimously, with the abstention of the United States of America, that it was not competent to suppress this alkaloid. Only on the recommendation of a medical enquiry throughout the whole world could its entire suppression be decided upon. Nevertheless, impressed by the terrible ravages of

of the heroin habit, especially in the United States of America, the Sub-Committee in contrast to the stipulations of the previous article as regards morphine and cocaine, adopted the suppression of the percentage, which means, in practice, that it is impossible to sell to the public any preparation containing even the smallest quantity of heroin without a medical prescription.

For this reason some of the Delegates found it necessary to observe that they were not empowered to accept this modification, and that, although they associated themselves personally with the high motives which inspired the change, they made a reservation regarding their Government's acceptance of this suppression of the tolerance extended to other narcotic alkaloids.

At the same time many of the Delegates considered that it would be well to proceed, first, to the reduction, and then no doubt to the removal of heroin from therapeutics throughout the world.

With regard to the wording of the paragraph, the German Delegate justly observed that the word "heroin" could not stand by itself in the text of the Convention, since it was the property of the commercial firm and had not come into public use; it was therefore desirable to refer to this product by its chemical name of diacetylmorphine, putting in brackets the names (diamorphine, heroin) by which it is still known in commerce.

The following is the text of paragraph (c) now paragraph (d) "diacetylmorphine, (diamorphine heroin) its salts and preparations."

Sub-Committee F drew the attention of the Drafting Committee to the need of substituting the word "diacetylmorphine" for the word "heroin" in all the articles in which the term is used.

Article (e) formerly (d), the final aim of which is to bring within the Convention all derivatives other than those already mentioned and, indeed, all products which might, in the future, be classed among narcotics of the nature of morphine, cocaine and their salts, was only discussed in order to establish in what way the noxious effects of this possible new derivative would be officially ascertained, and, finally Sub-Committee F adopted a method, which it submits for the approval of the plenary Conference:

"To any new derivative of morphine, or cocaine any other alkaloid of opium or the coca leaf, and any other narcotic drug, which may be declared in the manner following to be liable to similar abuse and productive of like ill-effects:-

"The existence of these ill-effects and abuses shall be declared by the International Health Office, after consultation with the Health Committee of the League of Nations. In the event of such a declaration the Health Committee of the League of Nations shall communicate it to the Council of the League, which shall inform the Governments and recommend their acceptance of it."

"Any Contracting Party accepting the decision shall notify its acceptance to the Secretary General of the League of Nations and, as soon as ten Powers have done so the product in question shall be regarded as included in the Convention, so far as such Contracting Parties are concerned."

The Sub Committee then proceeded to examine the various draft texts of exemption proposed by different members.

Objections were raised in particular by the Delegate for Spain who wished to introduce by name the exempted preparations and even, if possible, to have lists drawn up showing the products which would or would not be affected by the Convention.

Various notes were, furthermore, referred to the Sub-Committee, but it would take too long to enumerate them in this report.

Summarising, the Committee thought that the text of the Convention should not be overburdened, and that, as usage differed in the various countries, it would be extremely difficult to establish limitative lists.

Lastly, the initial proposal of the Belgian Delegate allowed for the exemption of preparations from which by reason of their medicinal and complex composition, the narcotic alkaloids in question could not be industrially recovered, and which could not lead to the formation of dangerous habits.

The following is the text of this proposal:

"When the Office Internationale d'Hygiene publique, after consultation with the Health Committee of the League of Nations, shall have declared that certain preparations containing narcotic alkaloids referred to in this Convention cannot give rise to the drug habit on account of the medicaments with which these narcotics are compounded and which preclude the recovery of the narcotics,

the Health Committee of the League of Nations shall transmit this decision to the Council of the League which will communicate to all the High Contracting Parties the names of these preparations, in order that they may be regarded by the latter as exempted from the provisions of the present Convention."

Finally, the Delegates for France and Belgium, supporting a wish expressed in the note from the International Pharmaceutical Federation, proposed to exempt from a compulsory medical prescription certain medicines for urgent use (Dover powder, ydenham laudenum, tincture of opium) irrespective of their strength, provided that the quantity supplied on a single occasion does not exceed 25 centigrammes of officinal opium.

Both Delegates, who claim more than twenty years' experience as Inspectors of Pharmacies, urged the adoption of their proposal, which, moreover, does not represent any real danger to public health. On the contrary, it is a question of enabling a sick person cruelly attacked by a painful affection to obtain immediate relief before the arrival of a doctor.

In spite of the opposition of some of the members, particularly the delegate for the Dominican Republic, the Sub-Committee adopted the following text by 7 votes to 4, with 3 abstentions:

"The following opiate officinal preparations may be delivered to the public, on the responsibility of the chemist, and as medicines for urgent use, but only in maximum doses corresponding to 25 centigrammes of officinal opium and subject to the book-keeping regulations with regard to narcotics: tincture of opium, Sydenham laudenum and Dover powder".

Lastly, in consequence of remarks made by its members during the reading of the various articles of the Convention, the Sub-Committee wishes to draw the attention of the Drafting Committee of the future Convention to the advisability of defining and employing identical terms, particularly in the repetition of the words "sale, distribution, cession, delivery" employed in various articles such as articles 9, 10, 10b, 11, and 14.

The Sub-Committee will next proceed to consider the question of Indian hemp and of its derivatives, and will submit a special report on this subject.

A N N E X I.

O.D.C.73

LEAGUE OF NATIONS.

December 18th, 1924.

SECOND OPIUM CONFERENCE.

SUB-COMMITTEE F.

MINORITY REPORT PRESENTED BY

Surgeon General Rupert Blue, M.D., D.P.H., Member of the United
States Delegation.

While the Delegation of the United States is not in accord with all the recommendations set forth in the draft report of Sub-Committee F (O.D.C/S.C.F/14) submitted by the Rapporteur, (Professor Perrot), I desire on behalf of the Delegation to express my deep appreciation of the uniform courtesy and attentive consideration with which this Sub-Committee has received the suggestions of the United States, and to present for consideration under reservations made from time to time and duly noted in the minutes a statement in the nature of a minority report regarding the points at issue. I would suggest that the following statement accompany the Rapporteur's report when this Sub-Committee accounts to the Conference for the work it was assigned in order that the Conference may readily understand the several points at issue and may take such action in the premises as may be deemed advisable.

STATEMENT.

CODEINE.

(1) It is recommended that the word "codeine" be inserted after the word "morphine" in Articles 9, 10 (paragraphs a and b) 11, 12, 13 and 14.

One of the most important objects of the Convention is to insure that accurate data regarding the manufacture and consumption of opium and its derivatives shall be collected and recorded. Otherwise correct accounting of the final disposition of opium and its products cannot be ascertained. It is therefore urged that the suggestion indicated above be adopted. In any event, it would seem highly desirable that codeine should be included in the Convention for statistical purposes if for no other reason. In support of this view attention is invited to the following statement made by the Health Section of the League of Nations:

"The Mixed Sub-Committee points out again that, in view of the large quantities of codeine prescribed in certain countries, it would be well to include this alkaloid in the inquiries, and, in general, all the derivatives of opium employed in therapeutics." (See Annex 5, page 22, Document A.32. 1924.II).

DERIVATIVES.

(2) It is recommended that the word "derivatives" be re-inserted in Articles 9, 10, 11, 12, 13 and 14 of the Suggestions of the United States.

The deletion of the word "derivatives" from the Articles referred to, as recommended in the report of the Rapporteur, renders impossible an accurate accounting to be made with regard to the course and disposition of consignments of opium. If derivatives of the raw material are not accounted for the effectiveness of any convention which may be concluded would be seriously impaired. It may be mentioned that statistics collected by the Advisory Committee on the Traffic in Opium indicate that only six states have so far tabulated returns respecting codeine, and these figures are for the most part not reliable.

HEROIN.

(3) It is recommended that an article providing for the suppression of the manufacture of heroin be included in the Convention (see Article 9-A of the Suggestions of the United States).

The United States Delegation has noted with interest the recommendations submitted by the Sub-Committee regarding the

limitation of the use of heroin and would respectfully urge the Conference to take advantage of the present opportunity to place a ban upon this noxious drug in the manner indicated in Document O.D.C/O.R/13 (.23). In further support of the proposal to suppress the manufacture of heroin reference may be made to the report of the Health Section of the League of Nations:

"Diacetyl-morphine (heroin) is a very dangerous drug, still more toxic than morphine and still more dangerous as regards the forming of the drug habit. Since the pharmacologists and clinical practitioners admit that heroin can be dispensed with in therapeutics, the mixed sub-committee recommends the possibility of entirely forbidding its manufacture should be considered." (See Document A.32 (1924) 11, page 22.)

The foregoing statement not only constitutes a strong endorsement of the views entertained by the Delegation of the United States regarding the suppression of the manufacture of heroin and would also seem to afford the answer to the statement that sufficient evidence has not been obtained to warrant the suppression of the manufacture of the drug at the present time.

MORPHINE AND COCAINE.

(4) It is recommended that the following text be substituted in Article 14, paragraph (b), for that contained in the Rapporteur's report:

"(c) to all preparations (officinal and non-officinal including the so-called anti-opium remedies) containing more than one-quarter of a grain of morphine or more than 1/4 of a grain of cocaine to the ounce."

If the text of the Hague Convention regarding the exemption of preparations containing 0.2 per cent of morphine and 0.1 per cent of cocaine is adopted as recommended by the report of the Rapporteur, a druggist may dispense these strong solutions of narcotics without a medical prescription. Had the percentages been reduced to one-quarter of the amounts indicated in the Hague Convention it would have served the purpose intended without the danger of creating addiction among unformed purchasers. The attention of the Conference is invited to the following opinion of the Health Section of the League of Nations regarding the danger to be apprehended from the dispensing of strong solutions containing morphine and cocaine:

"In the report (See Document C.H.264) submitted to the Mixed-Committee and to the Health Committee we pointed out that this provision was, to a certain extent, likely to promote illicit traffic, owing to the fact that a proportion of narcotics which might be proved to be considerable was thus withdrawn from supervision."

In support of the high percentage of these drugs exempted it was urged that persons who became ill suddenly should be permitted to obtain relief without calling a physician and that everyone should be accorded the right to purchase narcotics from chemists at any time. In our opinion this would be a most decided step backward as it might create addiction among certain classes as well as permit illicit traffic in cocaine and morphine. The amount exempted in the amendment proposed above would appear to be ample for the immediate relief of any person who might need an opiate while away from home.

MEDICINAL OPIUM TO BE DISPENSED WITHOUT A PRESCRIPTION.

(5) It is recommended that the following text be substituted for that proposed by the Delegates for France and Belgium with regard to the exemption from medical prescription of certain medicines irrespective of their strength, provided the quantity supplied on a single occasion does not exceed 50 centigrams of officinal opium:

"The following opiated officinal preparations may be delivered to the public on the responsibility of the chemist without a medical prescription and as medicines for urgent use, but only in small quantities corresponding to 12 centigrams of officinal opium, subject to the book-keeping regulations with regard to narcotics, Tincture of Opium, Dover's Powder, and Sydenham's Laudanum."

It is believed that the quantities of medicinal opium permitted to be dispensed without a medical prescription under the Subcommittee's proposed amendment is excessive and is not warranted by conditions obtaining in any country. If 50 centigrams^{of}/officinal opium may be delivered without a medical prescription, as recommended by the Committee, the question naturally arises, "Why place any restriction upon the distribution of opium products?" As it would be possible for a person to obtain 8 grains of opium at a single purchase, and by proceeding from one chemist's shop to another, the same individual might obtain enough opium in a single day to satisfy the demands of a dozen addicts. No doubt the restriction which the Delegation suggests might inconvenience the customer, but physicians will generally agree that 12 centigrams of Tincture of Opium contain sufficient opium to relieve any acute case of illness. Opium is of course palliative, not curative, in its action, and it does positive harm in many cases of disease, aside from its tendency to create addiction.

MEDICINAL AND SCIENTIFIC NEEDS OF THE WORLD.

(6) It is recommended that the Conference do not embody in the Convention any provision fixing the amount of opium and cocaine necessary to supply the medicinal and scientific needs of the world.

While the necessity for the establishment of a basis for estimating the requirements of each country is fully appreciated, the advisability of a Convention fixing the requirements is questionable for the reason that a recommendation of this Conference would serve the purpose equally as well and avoid the delays consequent upon a revision in the future of such a provision in the Convention.

Respectfully submitted,

(signed) RUPERT BLUE, M.D., D.P.H.,

Member of the United States Delegation.

LEAGUE OF NATIONS.

Second Opium Conference.

Sub-Committee F.

NOTE BY THE BELGIAN DELEGATION.

Before Committee F is finally dissolved I should like to make a statement. The whole Conference and our Sub-Committee of Experts in particular have been restricted in their work by the question of competence. Delegations must, however, in view of future deliberations, be allowed to express an opinion on those points of view which they would have liked to see accepted and which they refrained from defending merely because they wished to avoid unnecessary discussion.

1. In the draft which it submitted to the Conference the Belgian Delegation formulated the provisions of Article 14 regarding the supply of officinal preparations:

The provisions of Article 14 shall apply to -

All preparations containing more than 0.05 grs. morphine or more than 0.025 grs. cocaine.

In making this proposal the Belgian Delegation - as it has already stated - desired to assist pharmacists in their work and to prohibit the dispensing, without a medical prescription, of certain quantities of narcotics - the quantities varying according to the volume or weight of the preparation.

The Belgian Delegation did not feel able to insist on its proposal in view of the opposition of its colleagues:

"The provisions of 1912 have not given rise to abuse and furthermore it is difficult to depart from figures which have become the basis of certain important commercial usages."

Nevertheless we still consider it desirable that Article 14 should fix a limit for narcotics in terms of absolute weight.

11. The fixing of the opium figures.

During the discussion of this first item on our agenda our Sub-Committee pointed out how difficult it was to determine this figure, owing to the insufficiency of the data available concerning the consumption of codein.

At our last meeting we adopted the following recommendation on the proposal of the French Delegation:

"In order to exercise as strict a control as possible over the manufacture of the narcotic alkaloids of opium and the coca-leaf, the Contracting Parties undertake to adopt all possible measures enabling them to ascertain the quantity of these alkaloids transformed into non-narcotic derivatives."

The Belgian Delegation sought in vain to obtain the addition at the end of the paragraph of the words: "and their international distribution."

This referred to the case of narcotics transformed into products not included in the Convention.

The Belgian Delegation considers that information covering the international distribution of these products would, without unduly burdening either manufacturers or the agents of internal control, be of undoubted value, both to national statistics and to the international control of the drug traffic.

111. One last point obviously involves the question of competence. It is none the less of interest.

It refers to the supply of hypodermic syringes.

It is hardly necessary to enter into details:- without syringes there can be no injections, and no addicts to morphine or heroin.

As M. Daladier very rightly remarked in his speech on January 21st: "The hypodermic syringe is a much greater danger than the opium smoker's pipe."

It would be expedient to consider whether the supply of hypodermic syringes should not, like the injected medicament, be made conditional upon a medical prescription.

LEAGUE OF NATIONS.

O. D. C. /118.

SECOND OPIUM CONFERENCE.

Report of the Sub-Committee on Indian Hemp.

Rapporteur: PROFESSOR PERROT.

In conformity with the previous decisions of Sub-Committee F, the discussion turned on the two following points:

(1) In what form should Indian hemp or its preparations intended for medical use, be inserted in Article 4 of the Draft Convention?

(2) By what methods could the illicit traffic in Indian hemp, and particularly its resin (Charas) be dealt with, without adopting measures of such severity as to be inapplicable, in countries in which the use of Indian Hemp cannot at present be effectively prohibited?

The Egyptian Delegate strongly insisted on the inclusion of Indian Hemp in Article 4, and, finally, in agreement with the Indian Delegate, after somewhat lengthy discussion, the following texts were adopted unanimously, except for a reservation on the part of the Siamese Delegate who had not received any instructions from his Government:

Additional paragraph to Article 4 of the Draft Convention:

g) To galenic preparations: extract and tincture of Indian hemp.

Chapter IV.

Proposed French text with modifications as set out in the Minutes of the meeting held on February 14th.

I. The Provisions of Chapter V of the present Convention shall apply to Indian Hemp. In addition, and subject to the other provision of Chapter V each contracting party undertakes

(a) In the case of the resin prepared from Indian Hemp to prohibit export except to any importing country which may not have prohibited its use, and in such case shall require the production of a special import certificate issued by the importing country and certifying that the importation is approved for the purposes specified in the certificate, and guaranteeing that the goods will not be re-exported.

(b) In the case of Indian Hemp, each contracting party undertakes, before issuing the export authorization referred to in Article 13 of the present Convention to require the production of a special import certificate issued by the Government of the importing country, certifying that the importation is approved, and that the goods are required exclusively for medical or scientific purposes.

II. The Contracting parties shall exercise such effective control as to prevent the illicit traffic in Indian hemp, and especially in the resin.

The Rapporteur,

(Signed) PERROT.

LEAGUE OF NATIONS.

O.D.C. / S.C.F. / 13
O.D.C./73.

December 18th, 1924.

SECOND OPIUM CONFERENCE.

SUB-COMMITTEE F.

MINORITY REPORT PRESENTED BY

Surgeon General Rupert Blue, M.D., D.P.H., Member of the
United States Delegation.

While the Delegation of the United States is not in accord with all the recommendations set forth in the draft report of Sub-Committee F. (O.D.C./S.C.F./14) submitted by the Rapporteur (Professor Perrot), I desire on behalf of the Delegation to express my deep appreciation of the uniform courtesy and attentive consideration with which this Sub-Committee has received the suggestions of the United States, and to present for consideration under reservations made from time to time and duly noted in the minutes a statement in the nature of a minority report regarding the points at issue. I would suggest that the following statement accompany the Rapporteur's report when this Sub-Committee accounts to the Conference for the work it was assigned in order that the Conference may readily understand the several points at issue and may take such action in the premises as may be deemed advisable.

STATEMENT.

CODEINE.

(1) It is recommended that the word "codeine" be inserted after the word "morphine" in Articles 9, 10 (paragraphs a and b) 11, 12, 13 and 14.

One of the most important objects of the Convention is to insure that accurate data regarding the manufacture and consumption of opium and its derivatives shall be collected and recorded.

Otherwise/

a correct accounting of the final disposition of opium and its products cannot be ascertained. It is therefore urged that the suggestion indicated above be adopted. In any event, it would seem highly desirable that codeine should be included in the Convention for statistical purposes if for no other reason. In support of this view attention is invited to the following statement made by the Health Section of the League of Nations:

"The Mixed Sub-Committee points out again that, in view of the large quantities of codeine prescribed in certain countries, it would be well to include this alkaloid in the inquiries, and, in general, all the derivatives of opium employed in therapeutics." (See Annex 5, page 22, Document A.32.1924.11).

DERIVATIVES.

(2) It is recommended that the word "derivatives" be re-inserted in Articles 9, 10, 11, 12, 13, and 14 of the Suggestions of the United States.

The deletion of the word "derivatives" from the Articles referred to, as recommended in the report of the Rapporteur, renders impossible an accurate accounting to be made with regard to the course and disposition of consignments of opium. If derivatives of the raw material are not accounted for the effectiveness of any convention which may be concluded would be seriously impaired. It may be mentioned that statistics collected by the Advisory Committee on the Traffic in Opium indicate that only six states have so far tabulated returns respecting codeine, and these figures are for the most part not reliable.

HEROIN.

(3) It is recommended that an article providing for the suppression of the manufacture of heroin be included in the Convention (See Article 9-A of the Suggestions of the United States).

The United States Delegation has noted with interest the recommendations submitted by the Sub-Committee regarding the

• limitation of the use of heroin and would respectfully urge the Conference to take advantage of the present opportunity • to place a ban upon this noxious drug in the manner indicated in Document O.D.C./C.R./13 (p.23). In further support of the proposal to suppress the manufacture of heroin reference may be made to the report of the Health Section of the League of Nations:

"Diacetyl-morphine (heroin) is a very dangerous drug, still more toxic than morphine and still more dangerous as regards the forming of the drug habit. Since the pharmacologists and clinical practitioners admit that heroin can be dispensed with in therapeutics, the mixed sub-committee recommends the possibility of entirely forbidding its manufacture should be considered." (See Document 32 (1924) 11, page 22).

The foregoing statement not only constitutes a strong endorsement of the views entertained by the Delegation of the United States regarding the suppression of the manufacture of heroin and would also seem to afford the answer to the statement that sufficient evidence has not been obtained to warrant the suppression of the manufacture of the drug at the present time.

MORPHINE AND COCAINE.

(4) It is recommended that the following text be substituted in Article 14, paragraph (b), for that contained in the Rapporteur's report:

"(c) to all preparations (official and non-official including the so-called anti-opium remedies) containing more than one-quarter of a grain of morphine or more than 1/4 of a grain of cocaine to the ounce."

If the text of The Hague Convention regarding the exemption of preparations containing 0.2 per cent of morphine and 0.1 per cent of cocaine is adopted as recommended by the report of the Rapporteur, a druggist may dispense these strong solutions of narcotics without a medical prescription. Had the percentages been reduced to one-quarter

of the amounts indicated in the Hague Convention it would have served the purpose intended without the danger of creating addiction among unformed purchasers. The attention of the Conference is invited to the following opinion of the Health Section of the League of Nations regarding the danger to be apprehended from the dispensing of strong solutions containing morphine and cocaine:

"In the report (See Document C.H.264) submitted to the mixed-committee and to the Health Committee we pointed out that this provision was, to a certain extent, likely to promote illicit traffic, owing to the fact that a proportion of narcotics which might be proved to be considerable was thus withdrawn from supervision".

In support of the high percentage of these drugs exempted it was urged that persons who became ill suddenly should be permitted to obtain relief without calling a physician and that everyone should be accorded the right to purchase narcotics from chemists at any time. In our opinion this would be a most decided step backward as it might create addiction among certain classes as well as permit illicit traffic in cocaine and morphine. The amount exempted in the amendment proposed above would appear to be ample for the immediate relief of any person who might need an opiate while away from home.

MEDICINAL OPIUM TO BE DISPENSED WITHOUT A PRESCRIPTION.

(5) It is recommended that the following text be substituted for that proposed by the Delegates for France and Belgium with regard to the exemption from medical prescription of certain medicines irrespective of their strength, provided the quantity supplied on a single occasion does not exceed 50 centigrams of officinal opium:

"The following opiated officinal preparations may be delivered to the public on the responsibility of the chemist without a medical prescription and as medicines for urgent use, but only in small quantities corresponding to 12 centigrams of officinal opium, subject to the bookkeeping regulations with regard to narcotics, Tincture of Opium, Dover's Powder, and Sydenham's Laudanum".

It is believed that the quantities of medicinal opium permitted to be dispensed without a medical prescription under the Sub-Committee's proposed amendment is excessive and is not warranted by conditions obtaining in any country. If 50 centigrams of officinal opium may be delivered without a medical prescription, as recommended by the Committee, the question naturally arises, "Why place any restriction upon the distribution of opium products?" As it would be possible for a person to obtain 8 grains of opium at a single purchase, and by proceeding from one chemist's shop to another, the same individual might obtain enough opium in a single day to satisfy the demands of a dozen addicts. No doubt the restriction which the Delegation suggests might inconvenience the customer, but physicians will generally agree that 12 centigrams of Tincture of Opium contain sufficient opium to relieve any acute case of illness. Opium is of course palliative, not curative, in its action, and it does positive harm in many cases of disease, aside from its tendency to create addiction.

MEDICINAL AND SCIENTIFIC NEEDS OF THE WORLD.

(6) It is recommended that the Conference do not embody in the Convention any provision fixing the amount of opium and cocaine necessary to supply the medicinal and scientific needs of the world.

While the necessity for the establishment of a basis for estimating the requirements of each country is fully appreciated, the advisability of a Convention fixing the requirements is questionable for the reason that a recommendation of this Conference would serve the purpose equally as well and avoid the delays consequent upon a revision in the future of such a provision in the Convention.

Respectfully submitted,

(Signed) Rupert Blue, M.D., D.P.H.,
Member of the United States Delegation.

LEAGUE OF NATIONS.

O.D.C./S.C.F./19.

SECOND OPIUM CONFERENCE.

Sub-Committee F.

PROPOSAL BY THE FRENCH DELEGATION.

For the purposes of greater clearness and precision the French Delegation proposes the following wording to replace that on page 9 of the Report:

"When the Office international d'Hygiène publique, after consultation with the Health Committee of the League of Nations, shall have declared that certain preparations containing morphine, heroin or cocaine cannot give rise to the drug habit on account of the medicaments with which these narcotics are compounded and which preclude the recovery of narcotics,

the Council of the League of Nations will communicate to all the High Contracting Parties the names of these preparations, in order that they may be regarded by the latter as exempted from the provisions of the present Convention."

LEAGUE OF NATIONS.

O.D.C./S.C.P./20.

SECOND OPIUM CONFERENCE.

Sub-Committee F.

PROPOSAL BY THE FRENCH DELEGATION WITH REGARD TO
CODEIN.

In view of the use of large quantities of morphine in the manufacture of codein and possibly of other non-narcotic derivatives it is most desirable to be able to control the quantity of morphine thus used.

The French Delegation proposes to adopt the following resolution:

"In order to exercise as strict a control as possible over the manufacture of the narcotic alkaloids of opium and the coca leaf, the High Contracting Parties undertake to adopt all possible measures enabling them to ascertain the quantity of these alkaloids transformed into non-narcotic derivatives."

LEAGUE OF NATIONS.

O.D.C./S.C.F./21.

SECOND OPIUM CONFERENCE.

SUB-COMMITTEE F.

PROPOSAL BY THE FRENCH DELEGATION.

P.4 of the Report: the French Delegation proposes the following text (Article 14):

to crude cocaine,

to synthetic laevo-cocaine and

to racemic cocaine

to racemic ecgonin and to left-turning ecgonin derived from natural or synthetic products, considered as raw materials, and to all other substances drawn from these ecgonins which might serve industrially for the recovery of cocaine.

Synthesis of cocaine, by

Willstätter, O. Wolfsohn, Hirst Max.

Annalen d. Chemie, 1923, Vol.434.

SOCIÉTÉ DES NATIONS.

O.D.C./S.C.F./21.

DEUXIÈME CONFÉRENCE DE L'OPIMUM.

Sous-Commission F.

NOTE DE LA DÉLÉGATION BELGE.

Avant que la Commission F. ne se sépare définitivement je voudrais faire une déclaration. Toute la Conférence et notre sous-commission des Experts, en particulier sont limitées dans leurs travaux par la question de compétence. Mais il doit être permis à une délégation d'énoncer, - en vue de délibérations futures - les points qu'elle aurait voulu faire admettre et que seule la préoccupation de provoquer des débats inutiles l'a empêchée de défendre.

I. Dans le projet qu'elle a soumis à la Conférence, la Délégation belge formulait les prescriptions de l'article 14 concernant la délivrance des préparations officinales :

Tombent sur l'application des dispositions de l'article 14.

Toutes les préparations contenant plus de 0 gr.05 de morphine et plus de 0.gr.025 de cocaïne.

Elle entendait ainsi - comme elle l'a d'ailleurs exposé - faciliter l'exercice de la pharmacie et d'interdire, sans prescription médicale, la délivrance de quantités de stupéfiants variant avec le volume ou le poids de la préparation.

La délégation belge n'a pu maintenir sa proposition devant l'opposition de ses collègues :

" Les prescriptions de 1912 n'ont pas donné lieu à des abus et d'autre part, il est difficile de ne pas s'en tenir à ces chiffres sur lesquels se sont établis des usages commerciaux importants."

Il n'en reste pas moins désirable à notre sens, que l'article 14 fixe la limite des stupéfiants en poids absolu.

II. Fixation du chiffre d'opium.

Au cours de la discussion de ^{ce} premier point de notre ordre du jour notre sous-commission a constaté la difficulté qu'il y avait à entamer ce chiffre en raison de l'insuffisance des renseignements sur la consommation de la Codéine.

Dans notre dernière séance, sur la proposition de la délégation française, nous avons adopté la recommandation suivante :

" Afin d'exercer un contrôle aussi rigoureux que possible de la fabrication des alcaloïdes stupéfiants de l'opium et de la coca, les Parties Contractantes s'engagent à prendre toutes mesures leur permettant de connaître la quantité de ces alcaloïdes transformées en dérivés non stupéfiants."

La délégation belge a vainement demandé l'addition " infinie" de : " et leur répartition internationale."

Il s'agit en l'occurrence de stupéfiants transformés en produits non visés par la Convention.

La délégation belge estime que les renseignements sur la répartition internationale de ces produits - sans constituer des charges considérables ni pour les fabricants, ni pour les agents de contrôle intérieur - auraient une utilité incontestable pour la statistique de chaque pays et le contrôle

international du commerce des stupéfiants.

III. Un dernier point soulève à l'évidence la question de compétence. Il n'en est pas moins intéressant.

Il vise la délivrance des seringues à injection.

Il est inutile de développer cette proposition:

Sans seringue pas d'injection, pas de morphine ni d'héroïnomanie.

M. le Ministre Daladier le disait fortement dans son discours du 21 janvier :

" La seringue à injection est beaucoup plus dangereuse que la pipe du fumeur d'opium. Il y aurait lieu d'étudier si la délivrance de la seringue à injection ne devrait pas comme le médicament à injecter - être subordonnée à la prescription médicale.

LEAGUE OF NATIONS.

O.D.C./S.C.F./23

Geneva, February 10th, 1925.

SECOND OPIUM CONFERENCE.

SUB-COMMITTEE "F".

Proposal of the Netherlands Delegate
for the definition of medicinal opium.

"Medicinal opium shall be taken to mean raw opium which has undergone the processes necessary to render it fit for medicinal use, whether in powder form or granulated or otherwise, or mixed with neutral materials."

SECOND OPIUM CONFERENCE.

February 13th, 1925.

Sub-Committee on Indian Hemp.

Suggested text for Chapter IV.

I. The Provisions of Chapter V of the present Convention shall apply to Indian Hemp. In addition, and subject to the other provision of Chapter V each contracting party undertakes

a. In the case of the resin prepared from Indian Hemp to prohibit export except to any importing country which may not have prohibited its use and in such case shall require the production of a special import certificate issued by the importing country and certifying that the importation is approved for the purposes that shall be specified in the certificate.

b. In the case of Indian Hemp each contracting party/ undertakes before issuing the export authorisation referred to in Article 13 of the present Convention to require the production of a special import certificate issued by the Government of the importing country and certifying that the importation is approved and is required exclusively for medical or scientific purposes.

II. The Contracting parties shall exercise such effective control as to prevent the illicit traffic in Indian hemp and especially in the resin.

LEAGUE OF NATIONS

SECOND OPIUM CONFERENCE, 5th FEBRUARY 1925.

SUPPLEMENTARY REPORT OF SUB-COMMITTEE F.

1. In pursuance of the wish expressed by the President of the Second Conference, Sub-Committee F. examined the Egyptian Delegation proposal (O.D.C. 43).

The Egyptian Delegate recognised that the first two paragraphs of Resolution e. (page 7 of Report O.D.C. 71(2)) gave him full satisfaction. He stated that he could not accept the third paragraph, which he asked to have deleted, as he could not approve of the provision that once a decision on the part of the technical bodies appointed for the purpose had been obtained, the formal approval of ten powers should be required before it became effective.

Notwithstanding the assent of a certain number of delegates it was decided that as the report had been finally adopted it could not be changed and the Egyptian Delegate should raise the question in the Plenary Conference.

2. The Rapporteur of Sub-Committee F. speaking on behalf of several of the members of the Sub-Committee then pointed out that the wording of the Hague Convention (Chapter III) concerning the definition of medicinal opium contained a technical error.

The words "which has been heated" should be deleted as incorrect, as the process actually employed is a preliminary desiccation for the purpose of placing exports in the same analytical conditions. The article should therefore be worded as follows:-

"By medicinal opium is understood:

"raw opium which after dessication at +60° C. contains not less than 10 per cent of morphine.....etc".

The Committee adopted this wording.

3. In order to make the definition of raw opium in Chapter I clearer the Committee also adopted the addition of the words:

"whatever its content of morphine"

at the end of the paragraph.

4. At the request of the Drafting Committee, a discussion was opened with a view to defining what should be understood by the term "crude cocaine".

The following text was unanimously adopted:

"By crude cocaine is understood: all products extracted from the coca leaf which can directly or indirectly serve for the preparation of cocaine".

(signed) Perrot.

Rapporteur, February 5, 1925.