

LEAGUE OF NATIONS

FIRST OPIUM CONFERENCE

Geneva, November 3rd, 1924 - February 11th, 1925

MINUTES

AND

ANNEXES



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LIST OF MEMBERS
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BRITISH EMPIRE

Sir Malcolm DELEIVINGNE, K.C.B.

Experts :

Mr. A. G. M. FLETCHER, C.M.G., C.B.E. (Assistant Colonial Secretary, Hong-Kong).
Mr. David BEATTY (Secretary for Chinese Affairs, Straits Settlements).
Mr. F. W. FRASER, C.B.E. (Government Secretary, North Borneo).
Captain B. W. BROOKE (Tuan Muda of Sarawak).

Secretaries :

Mr. J. J. PASKIN (Colonial Office).
Mr. M. D. PERRINS (Home Office).

CHINA

His Excellency M. Sao-Ko Alfred SZE (Ambassador, Envoy Extraordinary and Minister Plenipotentiary at Washington, former Imperial Commissioner to the Mukden Plague Conference, former Minister for Communications, Finance and Foreign Affairs, former Minister Plenipotentiary to the Court of St. James, Chief Delegate at the Washington Conference).

His Excellency M. Wang KOUANG KY (Envoy Extraordinary and Minister Plenipotentiary at The Hague, former Chief Secretary of the Cabinet, former Minister Plenipotentiary to Belgium and Italy).

His Excellency M. Chao-Hsin CHU (former Senator, Professor of Economics at the University of Peking).

Councillor and Expert :

Professor Dr. W. W. WILLOUGHBY (Professor of Political Science at the Johns Hopkins University, former Legal Adviser to the Chinese Government, Political Expert of the Chinese Delegation at the Washington Conference).

Experts :

Dr. Venfour TCHOU (Secretary to the Chinese Legation at Washington).
M. Tchou CHE-TSIEN (Secretary of the Chinese Legation in Paris).
M. William HSIEH (Secretary of the Chinese Legation at The Hague).
Dr. Telly Koo (Secretary at the Ministry for Foreign Affairs).

Experts and Secretaries :

M. Wang TSUAN-TSU (Attaché at the Chinese Legation at Lisbon).
Dr. Clarence Kuangson YOUNG (Attaché at the Chinese Legation at Washington).
M. Shu-Sang CHU (Attaché at the Chinese Legation in London).

FRANCE

His Excellency M. CLINCHANT (Minister Plenipotentiary, Assistant Director for Asiatic Affairs, Ministry for Foreign Affairs.

Assistant Delegates :

M. DUCHÊNE (Director of Political Affairs, Ministry for the Colonies).
M. BOURGOIS (Consul).

Experts :

M. KIRCHER (Director for Customs and Excise in Indo-China).
M. CHÉRON (Colonial Administrator).

INDIA

Mr. J. CAMPBELL, C.S.I., O.B.E., I.C.S. (Retired) (Representative of the Government of India on the Advisory Committee on the Traffic in Opium and Other Dangerous Drugs.
Mr. H. CLAYTON, C.I.E., I.C.S.

JAPAN

M. Sagataro KAKU (former Civil Governor of the Government-General of Formosa).
M. Yotaro SUGIMURA (Councillor at the Japanese Embassy in Paris).

Experts :

Dr. Mikinosuke MIYAJIMA.
Dr. Mitsuzo TSURUMI.

Secretaries :

M. A. AKO.
M. T. SUZUKI.
M. K. TSUTSUI.
M. S. KUSAMA.

NETHERLANDS

M. W. G. VAN WETTUM (Chairman of the Advisory Committee on the Traffic in Opium and Other Dangerous Drugs).
M. de Kat ANGELINO (Advisor for Questions relating to China).

Secretary :

M. H. J. D. DOORMAN (Chancellor of Legation).

PORTUGAL

His Excellency M. Bartholomeu FERREIRA (Minister at Berne).
Dr. Rodrigo RODRIGUES (Governor of Macao).

SIAM

His Highness Prince CHAROON (Minister at Paris).

Substitute :

His Serene Highness Prince DAMBAS (Chargé d'Affaires at The Hague).

FIRST MEETING

Held at Geneva on Monday, November 3rd, 1924, at 11 a.m.

The meeting opened under the Presidency of the Secretary-General of the League.

1. Opening Speech by the Secretary-General of the League of Nations.

Sir Eric DRUMMOND was sure that he was expressing the opinion of the Council in welcoming the delegates to the Conference and in wishing them full success in the delicate and important task which they had to accomplish.

He recalled that twelve years ago the Opium Convention was concluded at The Hague and that Article 6 of this Convention read as follows :

“The Contracting Powers shall take measures for the gradual and effective suppression of the manufacture of, internal trade in, and use of, prepared opium, with due regard to the varying circumstances of each country concerned, unless regulations on the subject are already in existence.”

In addition, Article 23 (c) of the Covenant of the League of Nations stated that the League was responsible for the general supervision over the execution of agreements with regard to the traffic in opium and other dangerous drugs.

In consideration of the mandate which the League had received under the Covenant and on the advice of the Advisory Committee dealing with the traffic in opium and other dangerous drugs, the fourth Assembly had decided, by a resolution dated September 27th, 1923, to ask the Council to invite the interested Governments to send representatives, furnished with full powers, to a Conference which would be held for this purpose. This resolution was in the following terms :

“The Assembly approves the proposal of the Advisory Committee that the Governments concerned should be invited immediately to enter into negotiations with a view to the conclusion of an agreement as to the measures for giving effective application in the Far Eastern territories to Chapter II of the Convention and as to a reduction of the amount of raw opium to be imported for the purpose of smoking in those territories where it is temporarily continued, and as to the measures which should be taken by the Government of the Republic of China to bring about the suppression of the illegal production and use of opium in China, and requests the Council to invite those Governments to send representatives with plenipotentiary powers to a Conference for the purpose and to report to the Council at the earliest possible date.”

The Council having accepted this resolution of the Assembly, the meeting of the present Conference had resulted from its decision.

A Preparatory Committee, some members of which were also taking part in the Conference, had been appointed, at the request of the Council, by the Advisory Committee, in order to prepare a programme for the Conference. This Preparatory Committee had prepared and submitted to the delegates a provisional agenda (Annex 1).

Before dealing with the first point on the agenda, namely, the election of a President and Vice-President, the Conference would no doubt wish to examine the question of the publicity of its meetings, which was a matter for the Conference itself to decide with complete freedom of action. Members would, however, probably be interested to know that up to the present every plenary Conference held under the auspices of the League of Nations had held its meetings in public. At the same time, the Conference would wish to keep the right of holding private meetings when it considered them desirable.

Sir Eric Drummond declared, in conclusion, that the Secretariat would be at the disposal of the Conference and would give it all possible aid.

2. Composition of the French Delegation at the Conference.

The SECRETARY-GENERAL informed the Conference that he had received a letter from the French Minister for Foreign Affairs giving the composition of the French delegation as follows :

- M. CLINCHANT, Minister Plenipotentiary, Assistant-Director for Asia at the Ministry for Foreign Affairs, Delegate ;
M. DUCHENE, Director of Political Affairs at the Ministry for the Colonies, Assistant Delegate ;
M. BOURGOIS, Consul of France, Assistant Delegate ;
M. KIRCHER, Director of Customs and Excise in Indo-China, Expert ;
M. CHÉRON, Colonial Administrator, Expert.

3. Election of the President of the Conference.

M. SUGIMURA (Japan) proposed that M. van Wettum, delegate of the Netherlands, who was Chairman of the Advisory Committee on the Traffic in Opium and who had presided over the work of the Preparatory Committee, should be called upon to direct the work of the present Conference.

Everybody was familiar with the eminent qualities, the loyalty and impartiality of the delegate of the Netherlands.

Sir Malcolm DELEIVINGNE (British Empire) and M. CLINCHANT (France) supported the proposal of the Japanese delegate.

M. van WETTUM *was unanimously elected President of the Conference.*

M. van WETTUM (President) thanked his colleagues for the honour they had done him. He feared that his qualities did not justify their choice, particularly when the importance of the problems which the Conference had to discuss was taken into account. He asked for the collaboration of all his colleagues in the solving of these problems, in which many millions of persons were interested. The Conference would need to take as broad a point of view as possible in order to surmount the difficulties which it would encounter.

4. Election of the Vice-President of the Conference.

M. SZE (China) proposed Prince Charoon, delegate of Siam, as Vice-President of the Conference.

Prince Charoon was well-known by all the members of the Conference ; it would not be necessary, therefore, to enumerate further the qualities which so eminently fitted him to carry out this duty.

M. SUGIMURA (Japan) supported the proposal made by the Chinese delegate. He considered it equitable to give the Vice-Presidency to a representative of Asia when a European representative had been appointed as President.

Prince CHAROON *was unanimously elected Vice-President of the Conference.*

5. Representation of Persia at the Conference: Letter from Prince Arfa-ed-Dowleh asking to be admitted to the Conference in the Capacity of an Unofficial Observer.

The following letter was read from Prince Arfa-ed-Dowleh, first delegate of Persia, to the Secretary of the second Opium Conference.

(Translation): "In view of the fact that Persia is among the countries most closely concerned in any questions relating to the various uses of opium, I venture to ask you to be so good as to request the President of the First Opium Conference to grant me authority, if possible, to be present at the meetings of this Conference as an unofficial observer.

"I should be most grateful if you would inform me of his decision.

*"(Signed) Prince ARFA-ED-DOWLEH,
First Persian Delegate at the Second Opium Conference."*

Mr. CAMPBELL (India) proposed the adjournment of the question until the Conference should have decided whether its meetings should be held in public. If this were decided in the affirmative, the point would not arise.

M. SUGIMURA (Japan) saw no objection to admitting the representatives of a country having large interests in the questions under discussion.

Sir Malcolm DELEIVINGNE (British Empire) supported the proposal of Mr. Campbell. It would be proper to adjourn the examination of the question until the Conference should have come to an agreement on the general method of procedure to be adopted with regard to its debates.

M. SUGIMURA (Japan) agreed to the proposal to adjourn the decision.

The Conference decided to postpone the consideration of an answer to the letter from Prince Arfa-ed-Dowleh.

6. Appointment of the Committee on Credentials.

On the motion of the PRESIDENT, the following delegates were appointed to serve on a Committee for the examination of credentials :

Mr. J. CAMPBELL (India) ;
M. Chao-Hsin CHU (China) ;
M. Bartholomeu FERREIRA (Portugal).

It was decided that the Committee on Credentials should meet at 12.15 p.m. and that it should report to the next meeting of the Conference.

SECOND MEETING

Held at Geneva on Monday, November 3rd, 1924, at 3.30 p.m.

President : M. van WETTUM (Netherlands).

7. Examination of the Draft Rules of Procedure of the Conference.

On the motion of the PRESIDENT, *it was decided to examine the draft Rules of Procedure.*

M. SZE (China) asked that the draft should be discussed article by article.

This was agreed.

Dame Rachel CROWDY (Secretary of the Conference) read the first rule.

Rule 1.

Mr. CAMPBELL (India) pointed out a discrepancy between the French and English versions of the first article. The English text said "The First Opium Conference consists of the representatives appointed and duly supplied with credentials by the Governments invited to be represented", whereas the French text read as follows : "Les délégués doivent être munis de pleins pouvoirs". In anticipation of the communication of the report of the Committee for the Examination of Credentials, he wished to point out that several delegates, including himself, were not furnished with full powers and he asked that the French text should be altered to conform to the English meaning.

Sir Malcolm DELEIVINGNE (British Empire) said that, according to the terms of the resolutions passed by the Assembly and the Council, delegates should be furnished with full powers as stated in the French version of the draft. It seemed to him that it would be better to start from this basis in drawing up the Rules of Procedure.

Mr. CAMPBELL (India) suggested that, in order to avoid delay, delegates should not be required at present to prove their possession of full powers. In the opinion of the Committee on Credentials, all delegates were authorised to be present at the meetings of the Conference. Four countries only, France, Portugal, the Netherlands and India, had not yet authorised their delegates to sign on their behalf. It would perhaps be advisable to ask these delegates to approach their Governments with all speed in order to obtain authorisation for this purpose.

Sir Malcolm DELEIVINGNE (British Empire) saw no objection to a plan by which the delegates would not be required to produce their full powers until the end of the Conference. This method had been adopted at an International Conference in which he had taken part.

M. FERREIRA (Portugal) did not consider it necessary for delegates to be furnished with full powers to sign conventions which might perhaps never be established.

M. SZE (China) was of opinion that it was necessary to keep to the terms of the resolutions passed by the Council and the Assembly. He was, however, in agreement with Mr. Campbell as to the necessity of beginning work without delay. He had come a long distance and he hoped that the Conference would result in the preparation of a convention. For that reason delegates should seek to obtain full powers as soon as possible in order that they might sign it.

M. FERREIRA (Portugal) pointed out once more that for the present it would be sufficient if delegates had the right to be present at meetings of the Conference.

Mr. CAMPBELL (India) thought that, since the Governments had sent delegates to take part in the First Opium Conference and since it was contemplated by the terms of Resolution V adopted by the fourth Assembly of the League of Nations that these delegates should be furnished with full powers, it could perhaps be argued that they had implicitly the right to sign any convention which might be agreed upon. His object in asking delegates to approach their Governments and to obtain full and specific powers was to prevent any possibility of their authority being questioned.

It was decided that the English text of the first rule should be altered to correspond with the meaning of the French text.

Rule 2.

Rule 2 was adopted without amendment.

Rule 3.

Rule 3 of the French text was adopted without modification. The English text was to be brought into agreement with the first rule as amended.

Rule 4.

Rule 4 was provisionally adopted without modification.

Rule 5.

M. SZE (China) asked for a clear definition of the term "private meetings". He hoped that the same procedure would be followed at Geneva as at Washington, namely, that at the end of private meetings a communiqué would be drawn up by the President and that, in addition, each delegate would have the right to make public the attitude taken up by his delegation during the private meeting.

The PRESIDENT pointed out that in that case the discussion would entirely lose its private character.

M. FERREIRA (Portugal) considered that meetings should be either completely public or completely private. If there were a private meeting, a commission should be delegated to draw up a communiqué for the press. If every delegation had the right to make its own statement of what had happened during the meeting, it was possible that the statements might be contradictory, and this should be avoided.

M. SZE (China) thought it was indispensable for each delegation to have the right to make sure that its attitude was understood by the public. This right had been granted to all the delegations at Washington and no harm had resulted.

The PRESIDENT thought that each country represented had the right to explain its point of view in communiqués to the press, provided it did not mention the opinion of the other delegations.

Sir Malcolm DELEIVINGNE (British Empire) thought there was an essential difference between the expression of a general opinion in the press on a subject discussed by the Conference and a narration of the discussion during a private meeting.

He thought that, when the Conference decided to hold a private meeting, no communication should be made to the press except by means of a communiqué duly authorised for this purpose by the Conference.

M. SUGIMURA (Japan) hoped that the number of private meetings would be reduced to an absolute minimum, as all discussion, in his view, should be submitted to the judgment of public opinion.

M. SZE (China) explained that his intention was not to obtain for delegations the right to make fully public the discussions which had taken place in a private meeting. He had only wished to preserve for delegates the right of communicating their own statements to the press.

Mr. CAMPBELL (India) and the PRESIDENT thought it would be better not to allow the delegations to make declarations to the press after private meetings.

The PRESIDENT asked M. Sze whether he would agree to this on the understanding that there would be as few private meetings as possible.

M. SZE (China) was in favour of the most complete publicity, and could not see why it should be necessary to prevent his making known to the people he represented the statements which he had made in the course of a meeting.

M. SUGIMURA (Japan) suggested that the procedure to be followed should be decided separately each time a private meeting was to be held.

Mr. CAMPBELL (India) proposed, in order to hasten a solution of the problem, that all meetings should be public.

M. SZE (China) and M. SUGIMURA (Japan) supported Mr. Campbell's motion.

Rule 5 was provisionally adopted in the following form: "All meetings of the Conference shall be public".

Rules 6 and 7.

The Conference adopted Rules 6 and 7 without modification.

Rule 8.

With regard to Rule 8, the English text was, on the request of M. SZE (China), brought into conformity with the French text by the deletion of the words "in writing".

Rule 8 was adopted with this modification.

Rule 9.

M. SZE (China) moved that the word "interpreted" in the first paragraph be substituted for the word "summarised". *This motion was adopted.*

With this modification, Rule 9 was adopted, it being understood that any speech made in a language other than one of the two official languages would be interpreted into French or English.

Rules 10, 11, 12 and 13.

The Conference adopted Rules 10, 11, 12 and 13 without modification.

Sir Malcolm DELEIVINGNE (British Empire) pointed out that the draft Rules of Procedure did not provide for the procedure at sittings of Committees and Sub-Committees.

The PRESIDENT proposed that this procedure should be decided in each case by the Committee or Sub-Committee itself.

M. SUGIMURA (Japan) considered that the phrase occurring in Rule 5: "All meetings of the Conference shall be public", applied to all Committees and Sub-Committees as well as to the plenary meetings of the Conference.

M. FERREIRA (Portugal) was of the contrary opinion, as was also Mr. CAMPBELL (India), who contended that all desirable publicity was assured by the public discussion in plenary meetings of the reports of the Committees and Sub-Committees.

M. CLINCHANT (France) agreed with Mr. Campbell.

M. SZE (China) insisted that all meetings should be public. Taking the case of a Sub-Committee on which China might not be represented, he asked what would be the position of the Chinese delegation with regard to questions put to it by the public opinion of its country. The only solution was to give the most complete publicity to all meetings.

Mr. CAMPBELL (India) pointed out that the Conference would hold plenary meetings every morning and afternoon and that it was only composed of eight delegations, a number so small as to exclude the possibility of numerous Sub-Committees. In view of the attitude of China towards private meetings, he would prefer that all meetings be held in public.

The PRESIDENT thought that Committees might hold private meetings in order to facilitate agreement, but he did not see the use of these private meetings if every delegation had the right to publish its opinion in the press.

M. SZE (China) thanked Mr. Campbell for agreeing that all the meetings should be open to the public, and he invited the other members of the Conference also to agree to this procedure.

Sir Malcolm DELEIVINGNE (British Empire) recognised the utility of holding certain private meetings and proposed the following addition to the rules already adopted:

"The procedure at meetings of any Committees or Sub-Committees appointed by the Conference shall be regulated by the Committee."

In proposing this addition, he did not know whether he might be creating a precedent or interrupting a tradition, but he thought it might be a solution which would bring the debate to a conclusion.

M. CLINCHANT (France) demonstrated that it was no innovation, this practice having been ordinarily followed at previous Conferences.

In reply to a remark made by the PRESIDENT, M. SZE (China) said that all the delegations would consider it their duty to keep secret anything that the other members of the Conference might have said in private meetings, but not their own statements.

M. CLINCHANT (France), in view of this explanation, agreed to the motion of the Chinese delegate.

M. SUGIMURA (Japan) said that, if there were a question of interpreting the term "private meetings" in the sense in which the Chinese delegate interpreted it, he would prefer that all meetings should be public.

M. CLINCHANT (France), replying to a question of the PRESIDENT, said that in his opinion plenary meetings should be public, but that meetings of Committees or Sub-Committees, which would only do preparatory work, should be private.

With regard to communications to the press, it was only a question of degree, and confidence might be placed in the discretion of the delegates.

M. SZE (China), basing his argument on the precedent of Washington, thought that it would not be improper to leave delegates free to make communications of their own statements or position to the press.

M. CLINCHANT (France) submitted the following addition to the text proposed by Sir Malcolm Delevingne :

"The meetings of Committees and Sub-Committees shall be held in private."

Sir Malcolm DELEVINGNE (British Empire), replying to a remark from the PRESIDENT, said that his own motion was of a general character, and applied to all questions of procedure which might arise in connection with the meetings of Committees or Sub-Committees. That of M. Clinchant dealt only with the question of publicity, and left to the Committees or Sub-Committees themselves the decision of all other questions of procedure.

M. SZE (China) asked for assurance on two points :

1. Was he right in thinking that there would be as few meetings of the Committees as possible ?

2. Would all the delegations be represented on each Committee ?

Sir Malcolm DELEVINGNE (British Empire) thought it impossible to give any definite assurance to the Chinese delegate as to the number of Committees or Sub-Committees which might be appointed, as to the frequency of their meetings or even as to the choice of their members. These were matters of detail which could only be discussed as they arose.

M. CLINCHANT (France) was in entire agreement with the opinion of the British delegate.

M. SZE (China) moved that, before voting on the additions proposed by Sir Malcolm Delevingne and M. Clinchant, the following amendment should be added to them :

"Each delegation shall have the right, however, to make public a statement of its own position with regard to matters discussed at meetings of Committees or Sub-Committees."

M. CLINCHANT (France) and Sir Malcolm DELEVINGNE (British Empire) accepted the amendment of the Chinese delegate.

M. SUGIMURA (Japan) was in favour of the British proposal in its original form, without the two amendments which had been added to it.

He could not accept the amendment proposed by M. Sze.

The PRESIDENT then put to the vote the Chinese amendment.

The amendment was adopted by four votes to three, with one abstention.

The delegates of the following countries voted for the amendment : British Empire, China, France, Netherlands.

Against were India, Japan and Portugal.

The delegate of Siam abstained.

The PRESIDENT put to the vote the addition proposed by the French delegate in these terms : "The meetings of Committees and Sub-Committees shall be held in private".

The amendment was adopted by six votes to one, with one abstention.

The delegates of the following countries voted in favour : British Empire, China, France, India, Netherlands, Portugal.

Against : Japan.

The delegate of Siam abstained.

The PRESIDENT put to the vote the motion of Sir Malcolm Delevingne, as follows :

“The procedure at meetings of any Committees or Sub-Committees appointed by the Conference shall be regulated by the Committee.”

This proposal was unanimously adopted.

The entire text read as follows :

“The procedure at meetings of any Committees or Sub-Committees appointed by the Conference shall be regulated by the Committee.

“The Committees and Sub-Committees shall sit in private.

“Each delegation shall have the right, however, to make public a statement of its own position with reference to matters discussed at meetings of Committees or Sub-Committees.”

This text was approved by five votes to two, with one abstention.

The delegates of the following countries voted in favour of the motion : British Empire, China, France, Netherlands and Portugal.

Those of India and Japan against.

The delegate of Siam abstained.

It was agreed that Rule 5 as adopted by the Conference should become Rule 4 and that the rule referring to Committees and Sub-Committees just adopted, together with the former Rule 4, should become Rule 5.

The Rules of Procedure as a whole were adopted (Annex 2).

THIRD MEETING

Held at Geneva on Tuesday, November 4th, 1924, at 10.30. a.m.

President : M. van WETTUM (Netherlands).

8. Method of Work of the Conference. — Question of Procedure.

The PRESIDENT, referring to the two remaining questions on the agenda (Annex 1) suggested that the first, relating to the present situation in the European territories and colonies in the Far East in which prepared opium was still used in conformity with Article 6 of the Convention, and the measures which might be taken to carry out more effectively the policy embodied in Chapter II of the Convention, should be discussed by a Committee composed of delegates of the interested Powers, this Committee to meet in the mornings. The second question, namely, the situation in China and measures to be taken by the Chinese Government, could be discussed during the afternoon in plenary meeting.

The first question would naturally lead to the conclusion of a Convention between the interested Powers, this Convention to include the measures on which the Conference might have agreed. It would be sufficient for the interested Powers to discuss the question between themselves in Committee. By adopting this method of examination for the two questions it would, no doubt, be possible to execute the whole programme of the Conference and to arrive at conclusions which would be embodied in a Convention. If, on the other hand, both questions were discussed in plenary meeting, he feared that the first question would be discussed at length, whilst the second, being discussed later, must necessarily occupy a shorter time.

The President asked the opinion of his colleagues on the proposed procedure.

M. CLINCHANT (France) declared himself in complete agreement with the President.

M. SZE (China) asked whether the agenda which had been proposed had been accepted by the Conference.

The PRESIDENT replied that all the Governments had accepted it.

M. SZE (China) said that the subject was quite new to him. Naturally, if the Conference were to discuss measures concerning only the interests of those Powers having possessions and

colonies in the Far East he would not intervene. China, however, could not be entirely relegated to the background when measures of this kind were being discussed, for in some colonies opium was sold, if not exclusively, at least predominantly, to the Chinese population. In some colonies natives were not even allowed to consume it. The problem had thus a vital interest for China.

Although in agreement with the President, as he would be on any proposal not contrary to his instructions, and although raising no objection to the discussion in Committee of the second question on the agenda, M. Sze asked that the Chinese delegation should be represented on this Committee.

Sir Malcolm DELEVINGNE (British Empire) supported the President's proposal. The first part of the programme of the Conference was designed to secure an agreement between the Powers in whose territories the sale and consumption of opium were still authorised under the terms of Chapter II of the Hague Convention, for the purpose of ensuring a stricter application of the measures concerning the sale and consumption in question. It seemed probable that a result would be reached more rapidly if the interested Powers examined in Committee the situation in their respective countries and came to an agreement as to the measures to be taken to improve the situation.

The Committee should, after this preliminary enquiry, report to the plenary Conference, and the whole question could then be discussed in public by all the delegations of the Powers represented at the Conference. The discussion in Committee would not in any way prejudice the deliberations of the plenary Conference and would not limit in any direction the part which the delegations of all the Powers, including China, might take in the solution of the problem. It would, however, facilitate the settlement of the question within the limited time which was at the disposal of the Conference.

He thought that the interested Powers should, in one way or another, discuss what there was to be done and the main lines of agreement. From his experience of previous Conferences, he considered that the method indicated by the President was the one most likely to attain this result.

M. SZE (China) agreed with Sir Malcolm Delevingne in wishing above all things, as did his British colleague, to facilitate the work of the Conference, and this desire had moved him to make his suggestions. Chinese, more than any other nationals, suffered from the effects of the consumption of prepared opium in the European colonies of the Far East. While naturally reluctant to interfere in the administration of these territories and colonies, China wished to know in what way the question would be discussed, and in consequence desired representation on the Committee. In this way, when the question came to be dealt with in the plenary Conference, the Chinese delegate would be able to avoid the necessity of asking questions which would give rise to renewed discussion of matters which had already been dealt with.

In conclusion, M. Sze repeated that the aim of his proposal was to render the work of the plenary Conference easier and to avoid taking up its time unduly.

M. FERREIRA (Portugal), speaking in the name of the Portuguese delegation, agreed with the point of view expressed by the President.

The PRESIDENT feared that the proposal of M. Sze would give rise to difficulties. When the Committee adopted measures to be applied in the European possessions and colonies of the Far East, the Chinese delegate, if China were represented on the Committee, would have the right to vote for or against measures to be taken by the European Powers in their own colonies.

M. SZE (China) thanked the President for saying frankly that the motive of his proposal was the desire to prevent the Chinese delegate from discussing the first remaining question on the agenda. He declared, not less frankly, that he did not wish to delay the work of the Conference and that he desired, above all, to collaborate with his colleagues. In order that the work might be done efficiently, he had left his important functions and had come to Geneva.

It should not be thought that the Chinese Government did not concern itself with the fate of Chinese not living under the jurisdiction of China. The contrary was the case. If China were not represented on the Committee, it might well happen that, when that Committee made its report to the plenary Conference, the Chinese delegate would be obliged, although not wishing to delay the work of the Conference, to ask for a postponement of the examination of certain conclusions so that he might study their consequences.

He (M. Sze) did not consider that he was asking anything unusual. He was examining the question from the practical point of view and was attempting to look the problem in the face with an urgent desire to find a solution. If he had wished to obstruct progress he would not have asked for the meetings to be held in public, for publicity did not facilitate obstruction.

In any case, the Chinese delegate did not think it would be equitable to ask him to limit his powers by giving any assurance at the beginning of the Conference. All the delegates at the Conference were on an equal footing. China still regretted that 80 years ago she had alienated a part of her sovereign rights, and she was now trying to recover them.

It was only reasonable that China should take her part in all the work of the Conference. If the Conference were to discuss measures to be taken in China in connection with the use of opium, China should on her side know the measures which the European Powers proposed to take in their colonies, so that she might be able to suggest other measures in a spirit of collaboration with the delegates of these Powers.

The PRESIDENT pointed out that the second item on the agenda was designed to lead to an agreement dealing with the opium question in the European possessions and colonies in the Far East but that only the third item was concerned with the examination of the present situation in China and of measures to be suggested to the Chinese Republic. It was proposed to give advice, but not to attack the sovereign rights of China.

On the other hand, if the Chinese delegate had the right to vote upon the measures which the interested Powers proposed to take in their respective possessions, the question appeared in an altogether different light.

The President proposed that the Chinese delegate should be present in an advisory capacity at the meetings of the Committee.

M. SZE (China) regretted that he was unable to accept this proposal, which would be contrary to his instructions, but assured the President that he would not intervene in an active way in any purely internal questions which might be discussed by the Committee, and that in all probability he would abstain in such cases from voting.

He could not, however, promise anything definite for the reasons he had already given, and he, his colleagues on the Chinese delegation, and the whole Chinese people would regret the exclusion of China from the Committee. All the Powers were on an equal footing at the Conference, and it was not likely that China, having suffered so much from the alienation of certain of her sovereign rights to various Powers, would think of attacking the sovereign rights of those Powers.

The PRESIDENT considered that in the circumstances he had no alternative but to withdraw his proposal. The Conference had only to continue the examination of the questions on the agenda, unless any members wished to make further proposals.

M. SZE (China) proposed that, as the members of the Conference were not very numerous, the plenary Conference as a whole should itself constitute a Committee for the discussion of certain questions. Questions of lesser importance might be examined by a Committee composed of one delegate from each delegation.

Sub-Committees composed of experts could be appointed to deal with questions of a very technical nature and these Sub-Committees would report to the Conference. At the Disarmament Conference in Washington this method had been employed several times with success.

Personally, he would prefer that the plenary meetings should be as numerous as possible.

Sir Malcolm DELEVINGNE (British Empire) recalled the fact that the President had proposed parallel discussion of the two questions on the agenda. As the preceding speakers had not made any reference to this proposal, which he considered would greatly facilitate the work of the Conference, he would move it in his own name.

The PRESIDENT feared that if the plenary meetings in the morning discussed the question of prepared opium in European possessions and colonies in the Far East with the delegate of China taking part in the discussion, whilst at the afternoon meeting the opium question in China were discussed, the two questions would become so closely bound together that it would be hardly possible to distinguish them from one another. It would be another question, however, if a Committee composed of the delegates of seven Powers only sat in the morning, whilst the delegates of eight Powers met at the afternoon meeting.

Sir Malcolm DELEVINGNE (British Empire) could not agree with the President. His proposal would not lead to more confusion than would have been the case if the original suggestion of sitting in Committee in the morning and in plenary session in the afternoon had been adopted. If the first part of the agenda were discussed first it would very probably happen that so much time would be spent in discussing it that the Conference would not have time to deal properly with the second question, although the two were closely connected.

M. CLINCHANT (France) entirely agreed with Sir Malcolm Delevingne. It would be better for the two questions on the agenda to be discussed simultaneously, so as to avoid giving too much time to the first question and having to curtail the examination of the second.

M. SZE (China) recalled the procedure followed at the Washington Conference, where the agenda was composed of two parts: disarmament, and questions relating to the Far East. The Conference sat in the morning and afternoon and discussed each question separately, until it reached a conclusion. When difficulties arose, it passed on to the second question,

and then came back to the first. According to this precedent, he thought there would be no difficulty in taking up one point first.

He desired to clear up a possible misunderstanding with reference to the third item on the agenda. While not wishing to make any general declaration on the subject, he could say that China wished to collaborate in any measures which might help the European Powers to solve the problem of opium in their colonies. He hoped that, on their side, these Powers would reciprocally, in their colonies, take measures which would aid China to solve her problem. As far as the internal situation in China was concerned, he could not tolerate a discussion of it. He expected that this would not be attempted. He would be glad if the Conference would confine itself to making suggestions in the spirit of the Washington Conference.

Mr. CAMPBELL (India) thought the question under discussion quite simple. Sir Malcolm Delevingne had made a suggestion which appeared to be supported by a large number of delegates. To avoid a prolonged discussion, he proposed that the debate should be closed and the proposal of Sir Malcolm Delevingne put to the vote.

M. CLINCHANT (France) supported Mr. Campbell's proposal.

Sir Malcolm Delevingne's motion was then read :

"The Conference shall discuss the two parts of its programme simultaneously, the first part at the morning meetings and the second part at the afternoon meetings."

M. SZE (China) said that he would vote for the motion with a reservation, for he had come to the Conference in the belief that questions would be treated in the order in which they appeared on the agenda. Now that the agenda had been changed, he found he would not be able profitably to discuss the second question for two days.

Mr. CAMPBELL (India), on a point of order, asked whether a delegate could make a reservation in giving his vote on a pure question of procedure. All the delegates had come to the Conference knowing what questions were to be discussed, and presumably they were prepared to discuss them. It was a considerable time since the Council and the Assembly had adopted the agenda. As the Conference had only fifteen days in which to finish its work, it should make every effort to arrive quickly at a practical conclusion. It did not seem to him reasonable that a delegation should come to Geneva without being ready to discuss all the questions on the agenda. He thought that the responsibility for any consequences due to the delay proposed by the Chinese delegate would rest on that delegation.

M. SZE (China) said that from the point of view of procedure, he was no doubt in the wrong, for he was not accustomed to Parliamentary debate. This was, however, a question of courtesy. A delegation might surely ask the indulgence of the Conference in order to adjourn the examination of a question for a day or two, if it were not ready to discuss it. As the order of discussion of the two questions on the agenda had been changed, he would have to consult his Government on certain points.

The Committee for the examination of credentials had allowed the delegates of certain Powers to take part in the Conference before they had received full authority. Surely it would be possible for a similar courtesy to be extended to his delegation and to postpone the examination of this question until it had received further instructions from its Government.

M. Sze did not agree that the work of the Conference would be delayed, if during the afternoon it continued the discussion of the subject it had examined during the morning.

Sir Malcolm DELEVINGNE (British Empire) agreed with the view expressed by Mr. Campbell. He suggested that, in order to meet the Chinese delegation, the Conference should commence the examination of the second item on the agenda at the meeting in the morning of the next day (Wednesday) and that of the third item at the meeting in the afternoon of the same day. That would give more than 24 hours to the Chinese delegation in which to complete its preparations.

M. SZE (China) thanked Sir Malcolm Delevingne for his suggestion, which he accepted. In order to avoid any misunderstanding, he declared himself ready to discuss the question, except certain points with regard to which he was in communication with his Government.

He wished to make it quite clear that he had not come to the Conference without having prepared the questions; certain points had, however, arisen since his arrival, and it was on these that he desired to consult his Government. If then he made a declaration at the meeting in the afternoon of the next day, it would not be quite complete, and he might have to complete it later. He was at that moment, in fact, awaiting an answer from his Government.

The PRESIDENT put the motion of Mr. Campbell, for the closure of the discussion, to the vote.

The motion was unanimously adopted.

The PRESIDENT put Sir Malcolm Delevingne's motion to the vote.

The motion was unanimously adopted.

9. Declaration of the Japanese Delegation.

M. SUGIMURA (Japan) said that the Japanese delegation had carefully studied the questions to be discussed and would place its position before the Conference in all sincerity, in order that the discussion might be as complete as possible.

The Japanese delegation intended to collaborate in a spirit of the most complete loyalty in the work of the Conference, with the object of obtaining a solution which would lead to a new era in a question as delicate as it was complex and important.

It was regrettable that the political situation in certain countries was not favourable to the humanitarian plan of the Conference, but that should not discourage the delegates, all of whom would remain faithful to the high ideal of the League of Nations.

Before discussing the questions on the agenda, the Japanese delegate M. Sagataro Kaku, former Civil Governor of the Island of Formosa, wished to make a general statement on the question. For more than twenty years M. Kaku had been in charge of the administration of opium in Formosa, and he was without doubt the highest authority in Japan on this subject.

M. KAKU (Japan) then read the following statement :

To-day the opium question in its international aspect does not seem to be less complicated than when the Powers met for the first time at The Hague in 1912. But the most complicated factor of all is the presence of a large number of opium addicts in many of the Far Eastern countries. In considering the several causes for the contracting of the opium-smoking habit, special note should be taken of those persons who have acquired it as a result of its use medicinally. If such persons are to be treated, habitual smokers should not be looked upon as social renegates, but careful consideration should be paid to their relief and cure.

In solving the opium question in the Far Eastern countries, two aspects of the problem deserve consideration : first, the solution of the opium problem in China, and, secondly, that each country in which there are habitual smokers should adopt appropriate measures to eradicate the deep-rooted habit within its territory. In large measure the position in China reacts on the problem in other countries and vice versa.

It is true that for decades China has exerted herself to secure the suppression of opium smoking, as is shown by the policies adopted successively by the Chinese Government, and in this movement it was largely supported by various anti-opium organisations in China. The sincerity and eagerness of the Chinese Government and of the far-seeing intelligent Chinese people in the matter of the suppression of this habit has gained them the well-merited sympathy of the world in this very difficult task. The present situation, however, as it exists in China, makes a solution well-nigh impossible.

In my opinion, for the solution of the opium problem two measures should be taken: first, people should be prevented from acquiring the habit of opium smoking, and, secondly, addicts who persist in the habit should be given medical treatment as patients. The non-addicts are protected by rigid police control and by education, but on the other hand the addicts, whose physical and mental state is diseased, should be treated accordingly, since they cannot be expected to relinquish the deep-rooted habit simply by law and regulation and by punishment. Had China taken these two considerations into account in adopting her opium policy, the result in the long run would have been what was desired.

As regards the present situation in China, the exact number of opium addicts is not known at present, but it is reported that the number is considerable and appears, according to various observers, not to be decreasing. If the solution of the question is difficult even in normal times and under normal conditions, it is more so under the present circumstances.

Experience in Formosa has shown that in order to bring about the complete suppression of opium smoking, a policy of progressive suppression leading gradually to absolute prohibition is the only solution. In other words, those who have become habituated to the use of opium should be appropriately treated, and, on the other hand, non-addicts should be strictly prevented from becoming habituated to the use of opium.

In Formosa, in 1900, the number of opium smokers was enumerated, covering a large part of the population, and later two enumerations have been completed over the uncovered part of the Island. The licences issued to addicts up to the end of 1908 amounted to 215,476, no new licences being issued since that year. The number, however, decreased gradually to 38,966 in May 1924.

There have been only a few infringements of the regulations, contrary to our expectations. Furthermore, not only the Japanese but also the younger generation of the natives have entirely escaped from the habit of opium smoking. In Formosa there is as strict regulation that no Chinese who is addicted to opium smoking shall be permitted to enter the Island, and it may reasonably be expected that in the not far distant future there will be no addicts in Formosa.

Supposing that the Formosan Government had adopted, at the beginning of its administration, a *laissez-faire* policy of control, and supposing that the conditions had continued as in other places, the opium addicts in Formosa would be not less than three hundred thousand in proportion to the population of Formosa to-day; and if the economic

burden of opium smoking were calculated, it would be over fifty per cent of the total amount of the present revenue of Formosa. This leads us to the conclusion that the benefit derived from the Formosan policy in regard to opium monopoly is not only very great from the point of view of progress in health, but is still greater from the point of view of economic progress.

Although it is believed that every territory and colony of the European Powers in the Far East is doing its best to restrict the abuse of opium by its population, I may be permitted to enumerate some of the more important conditions which should be considered and by which the Formosan policy has had the results which are described above :

1. Opium smoking should be absolutely prohibited. Only those addicts in persistent habit should be permitted to smoke.

2. The process of issuing licences to addicts should be strictly regulated.

3. The handling of prepared opium should be strictly regulated, and its sales should be absolutely forbidden, except to those who are licensed addicts.

4. The quantity of opium to be used for smoking in order to give physical relief should be specified, this specified quantity to be used by addicts without further restriction.

5. In order to prevent the opium habit, it should be controlled by police regulations, and at the same time the people of the world should be taught to recognise the danger of opium, by means of education, by the general improvement of social life and by all the other means which are available for this purpose.

If these most effective measures are adopted, the object of progressive suppression will assuredly be attained.

The foregoing is the result of our experience in Formosa and in my opinion it would form the best basis for achieving the most satisfactory result in a solution of the opium problem. If all the Powers concerned would only adopt, in their territories, the policy which is most applicable to the special local conditions, in order to bring about the complete suppression of opium smoking, if they would only endeavour to obtain the most satisfactory result, not by hasty or temporary measures, and if they would only let the Chinese people see their good example and have the benefit of their influence in the solution of the Chinese opium problem, it would indeed help towards hastening the solution of the deep-rooted evils of China.

With this object in view, Japan will not hesitate to co-operate with all the other Powers concerned in order to find the solution of this problem in the Far East, by making the necessary modifications and revisions of Chapter II of the Hague International Opium Convention of 1912.

FOURTH MEETING

Held at Geneva on Tuesday, November 4th, 1924, at 3.30 p.m.

President : M. van WETTUM (Netherlands).

10. Report of the Committee on the Credentials of Delegates.

The PRESIDENT announced that the Conference had received the following report from the Committee on Credentials :

The Committee appointed by the Conference at its first meeting has examined the credentials of the delegates. The result of the examination is as follows :

<i>Countries</i>	<i>Delegates</i>	<i>Powers</i>
British Empire	Sir Malcolm DELEVINGNE	Full powers.
China	H.E. M. Sao-Ke Alfred SZE	Full powers.
	H.E. M. Wang Kouang KY	" "
	H.E. M. Chao-Hsin CHU	" "
France	H.E. M. CLINCHANT M. DUCHÊNE, Directeur des Affaires politiques au Ministère des Colonies.	The powers given by the decree authorise the delegates to act for France during the Conference, but do not apparently confer full powers for the signature of a Convention or agreement.
India	Mr. J. CAMPBELL, C.S.I., O.B.E. Mr. H. CLAYTON, C.I.E.	The delegates are duly authorised to represent India at the Conference, but are not specifically authorised to sign a Convention or agreement on behalf of India.

Japan	H.E. M. Sagatarô KAKU H.E. M. Yôtarô SUGIMURA	Full powers. " "
<i>Countries</i>	<i>Delegates</i>	<i>Powers</i>
Netherlands	M. van WETTUM M. de Kat ANGELINO	An official telegram has been received intimating that these gentlemen are nominated by H.M. the Queen of the Netherlands to represent that country at the Conference. An official letter is being forwarded.
Portugal	H.E. M. Antonio Maria Bartolomeu FERREIRA H.E. M. Rodrigo RODRIGUES	The position is the same as for France.
Siam	His Highness Prince CHAROON His Highness Prince DAMRAS	Full powers. An official telegram has been received intimating that Prince Damras has been appointed as joint-delegate, and that his credentials were posted on October 21st, 1924.

The Committee on Credentials considers that all the delegates whose names appear above are duly authorised to represent their countries at the Conference. The Committee presumes that, prior to the signature of any Convention or agreement which may be adopted by the Conference, the delegates of France, Portugal, India, and the Netherlands (should this prove necessary for the Netherlands) will obtain the necessary authorisation to that effect from their Governments.

(Signed) J. CAMPBELL,
Chao-Hsin CHU,
Bartolomeu FERREIRA.

The PRESIDENT noted that the delegates of France, Portugal, India and the Netherlands had not yet received full powers to sign any Convention which might be reached, and was sure they would recognise the importance of obtaining them as soon as possible.

The members of the Conference agreed with this remark.

On the motion of M. Chao-Hsin CHU (China), *the report was unanimously adopted.*

FIFTH MEETING

Held at Geneva on Wednesday, November 5th, 1924, at 10.30 a.m.

President : M. van WETTUM (Netherlands).

11. Examination and Consideration of the Present Situation in regard to the Application, by the Powers represented, of Chapter II of the International Opium Convention of 1912 in their Far Eastern Territories and of the Difficulties which have been encountered in giving effect to Chapter II of the Convention: General Discussion.

The PRESIDENT read the following statement :

Intricate as the opium problem appears, there seems to me to be in reality only one cause from which all these difficulties arise, namely, the illicit traffic. If there were no illicit traffic, we might be able to agree to-day on a system of control which could be simple, workable and successful. Our real work will prove to be the setting up of a system which will give us the maximum of efficient control without stimulating the clandestine trade. Long experience in the Far East has given me the absolute certainty that any new measure of control, which has not been preceded by an elaborate investigation of the influence which that measure may have on the illicit traffic, is worse than useless because the situation deteriorates as soon as the clandestine trade is too much stimulated.

Therefore, in my opinion, our first problem is the prevention of smuggling. I am sorry to state that the present situation in the Far East as regards the illicit trade is very depressing. I am afraid that never, since the efforts to control the use of prepared opium have been started, has the aspect of the clandestine trade been so alarming and threatening as it is now.

If at this very time we should agree on a body of measures which in themselves might be expected to establish a very strict control of the licit use of opium but, on the other hand, would not keep in view the possibility of adding in so doing a new and strong incentive to the clandestine trade, we should be merely handing over to the contrabandiers an ever-increasing turnover. We have therefore not only to combat the increase of the licit, but also, and in the first place, the increase of the illicit consumption. Absolute prohibition, for instance, puts an end at once to all licit use, but amongst a population which is not yet sufficiently awake to support the Government in its struggle against the evil, prohibition tends to increase enormously the illicit use and to such an extent that the amount consumed may finally surpass the amount which licitly or illicitly was consumed before prohibition started. At the same time it has the effect of lowering the moral standard of the people on account of the ensuing widespread disregard of law and authority and of threatening with corruption the official staff entrusted with the maintenance of the law. This contention, which easily might be supported by many instructive examples taken from all Far Eastern territories, applies with the same force not only as regards direct prohibition but also as regards ill-considered measures of control, which equally tend to spread the clandestine use of smuggled opium.

To give an example. We in the Netherlands Indies, during the last thirty years, have been building up with the utmost care an elaborate system, which in my opinion is second to none in the world; we have tried to do what seemed possible and since 1921 we have even tried to do what perhaps will prove to be impossible.

Since 1921, we have in practically all the big centres of population introduced the system of licensing and rationing. Previous to that date we had not gone so far and the licence system only prevailed in the more sparsely populated parts. We observe now an enormous decrease in the visible consumption, amounting to about 50% for 1923 as compared with 1920. Part of this decrease must be ascribed to economic depression, but part is due to the restrictive measures already mentioned, namely, the licensing system in the big centres. If the actual use had also decreased in the same proportion as the percentage, the result would be highly gratifying and I should be in a position to advise you to take the same steps as we have done.

There are, however, several symptoms which tend to show that the illicit use in our colonies is increasing and if so, it seems probable to me that we have here another example of the truth that no measure of control may be taken before the Government is sure that the suppression of the use of opium is a real one and not merely a shifting from licit into illicit channels.

I hope that I have stated sufficiently clearly the real nature of the opium problem as I see it. I hope also that I have convinced you that all our measures are detrimental to the cause for which we are exerting ourselves if they cannot stand the practical test of the illicit traffic. I feel that if this principal point is kept in view during our discussions, much may be accomplished and our results will have double the value, because they will stand the test referred to and will prove to be lasting.

A memorandum (Annex 3) on the situation in the Netherlands Indies has already been published, and as I have only a few spare copies left, I have asked the Secretariat kindly to have it reneographed for distribution to the members of the Conference. I am quite prepared to furnish any further information the Conference might desire to have.

M. RODRIGUES (Portugal) wished to make a few observations of a general nature on behalf of the Portuguese delegation.

In principle, he was absolutely in agreement with the President's speech, which in several respects was reminiscent of the very full statement made at the third meeting by the Japanese delegate.

The speaker wished, both on his own behalf and on behalf of the Portuguese delegation, to pay a tribute to the President, to the high qualities that had led to his unanimous election, and to the ideals of humanity and social morality that he represented at the Conference, both personally and on behalf of all countries—to whom M. Rodrigues also desired to tender his greetings.

The President, in his speech, had expressed a point of view of some importance, similar to that of the Japanese delegate when the latter had said that "the question does not seem to be less complicated to-day than when the Powers met for the first time at The Hague in 1912".

As the President had also said, the present situation was very bad, as contraband was greatly on the increase, and there was reason to fear that lawful traffic was being transformed into illicit traffic. Every effort must be made to eradicate an evil which tended to render fruitless all the measures which the various countries wished to take and for the framing of which they had met at Geneva.

In his opinion, however, there was an even more serious aspect of the situation than that which had been described. Every day the evil was growing, and in alarming proportions.

The application of international measures must be considered, not only from the philanthropic and moral standpoints, as had hitherto been the case, but also from the point of view of social hygiene. The problem of opium was a very complex one, and none of its aspects must be neglected.

The speaker had been surprised not to find graphs and maps on the walls of the Conference hall, showing the extent of the cultivation of the noxious plants, the distribution of production, the development of contraband, the ravages, etc., of opium. Only statistical and scientific data could serve as a guide in dealing with so important a question.

In the absence of these graphs and data, Dr. Rodrigues had been able to cull certain facts from the documents which had been distributed, sufficient to form an idea of the state of affairs. In a report describing the situation in regard to the cultivation of the poppy and the use of opium for smoking in the various countries, and particularly in China, he had found conclusions which were of a most discouraging nature.

The conclusions contained in other reports—in the chapter on Hong-Kong, for instance—only confirmed what had just been said. Hong-Kong scrupulously applied the measures laid down by the Hague Convention. All that was necessary to apply this Convention was, no doubt, done in every country, but in Hong-Kong the measures taken were invariably more stringent. Yet it was found that contraband was increasing in this port in proportion as the regulations became more stringent, and that the consumption of illicit opium was now as large as that of Government opium. What could this mean if not that, in spite of all the work of the Conferences, and in spite of the fact that the Hague Convention had been applied, the evil was spreading?

In reading through the reports, it would be seen—for instance, from the Japanese delegation's communication—that the measures taken at Formosa by a single Government were sufficient to eradicate the evil. In another report, dealing with Shensi (a province in China), it was stated that the habit of smoking opium did not exist in that province because a man had been found to defend the province against the evil. The implication of this was that all the work of the Conferences and of the nations in combination was not as effective as the influence of a single man. This constituted a formal condemnation of the methods under discussion. It was essential that absolutely definite measures should be found, capable of being applied without exception.

The problem was, however, becoming more complicated. In the East, as in America and Europe, no distinction could be made between the ravages of opium for smoking and those of opium taken internally or by injection, and of morphine and its derivatives. The evil was, in fact, the same, only in the latter case it was even more acute. Neither could any distinction be made between them in applying legal and social measures to prevent their ravages.

No one could deny that intoxication produced by the injection of alkaloid narcotics, which was formerly very rare, was everywhere on the increase. On this point it was useful also to consult doctors.

It was as a doctor that he wished to speak. He had lived for a long time in India, where he had been professor at a school of medicine; the Portuguese Government had then sent him to Macao, a colony with a long history, which unfortunately was also connected with that of the opium question. He knew something of that question.

The problem was a very complex one from the hygienic, economic, fiscal and political points of view. M. Rodrigues nevertheless felt obliged to follow the programme submitted to the Conference. At first he had intended to discuss this draft programme before it had become final, in order to determine the best method of combating the ravages of opium. He would have put forward more detailed considerations and would have made proposals to this effect. It was too late, however, and he noted that the draft programme had already been definitely adopted. At the same time it was the duty of the Portuguese delegation at least to point out that the method followed did not appear to it to be the best suited to lead to a final solution, calculated to protect humanity against the intoxicating effects of opium and its derivatives, and that sooner or later the nations would be obliged to follow a different method.

Since the opium scourge was one which affected social hygiene and which, in its origin, action and development, must be examined as a symptom of degeneration, as a *disease*, and studied in accordance with a definite and rational plan, in order to devise an appropriate method of social therapeutics. If the problem were studied in that light, it would be found that the programme submitted to the Conference was by no means the best.

It would in any case be well, for instance, to create alongside the Conference two permanent Committees, one to study the problem in its medical aspect, and the other in its economic and legal aspects. On this point, the speaker was in agreement with the statements of Sir Malcolm Delevingne and of the President, who asked that an exhaustive and reasoned examination should be made of the problem of intoxication by opium before any resolution was adopted. In his opinion, however, this examination should be undertaken by the two permanent technical Committees (medical and economic), which would prepare the work of the Conference. The results at which these Committees would arrive would afford solid material on the basis of which effective measures might be taken. This proposal was not a novelty. A similar method was adopted in the case of other diseases afflicting society, such as crime, alcoholism, tuberculosis, cancer, etc.

The speaker added that, since it was too late to change the course of the proceedings, the Portuguese delegation agreed to the programme of the Conference and would spare no effort in assisting to carry it out. As regarded fiscal measures, it was particularly important to conform to the President's point of view and it was necessary, without going too much into detail, to raise this question to a higher plane.

He now desired to submit a few special considerations :

In the small Portuguese colony of Macao, the authorities were firmly resolved to adopt the method of reducing the quantity of opium-smoking by taking at the same time other social measures calculated to counteract the ill effects of this narcotic. At the present moment parts of the revenue were employed for works of social utility. He would give fuller information on this point in a special report to be submitted to the Conference.

For the moment, he only desired to submit the following observations: opium labelled "Macao" was to be found everywhere, because this small port had for centuries been the first through which the nations of America and Europe have had commercial relations with China, and while the opium came from other countries, it took the name of the port through which it passed.

"Macao opium" was supposed to be of a superior quality to Chinese opium, and this was the reason why consignments were labelled "Macao", although "Macao opium" was manufactured everywhere. "Macao opium" illicitly imported from abroad was to be found in Macao itself.

Since it was impossible to change the state of affairs all at once, it was essential to avoid the lawful traffic being superseded by illicit traffic. He hoped that the measures which the Conference would prescribe would not be half-measures, but would be carefully considered and scientific ones.

M. SUGIMURA (Japan) said that in Japan and Korea the use of opium was entirely prohibited. In Formosa, a system of gradual suppression had been introduced which had achieved excellent results. In the leased territory of Kwangtung the regime had been reorganised last September on the basis of that in force in Formosa and experience led one to hope for complete success in the campaign even in Kwangtung, although special difficulties were encountered there because of its proximity to the territory where the ravages of the opium scourge were still great.

He added that, wherever her authority extended, Japan would endeavour to act for the higher good of mankind and in accordance with the principles underlying the League of Nations.

Prince CHAROON (Siam), Vice-President, read the following declaration :

I have already circulated for your information a short statement on the present situation in Siam in regard to the application of Chapter II of the Hague Convention (Annex 4). I need, therefore, only supplement my statement by a few brief remarks.

The Siamese Government, as you know, had advocated the policy of gradual suppression even before the Hague Convention of 1912 and, after having signed and ratified that Convention, my Government felt it all the more its duty to try to find every means in its power to carry out that policy to its logical conclusion.

To this end the new Opium Law of B. E. 2464 was promulgated in 1921. This law was destined to operate in three distinct and successive stages. The two first sets of provisions have already been put into force. The third and last stage deals with the registration and licensing of smokers in Siam and is to come into force only at a subsequent date to be notified in the Government Gazette.

The essence of this system is that smokers must apply for registration and smoking licences within a certain date and that after that date no more registration and smoking licences will be issued. No licence will then be issued unless the applicant can prove that he is an addict. The quantity of opium that such registered smokers may purchase daily will be fixed annually by the Government and, should any smoker be found to have purchased less than the amount fixed, endeavour will be made to cut down his daily dose. All registered smokers (apart from home smokers, who will continue to be very few in number) must obtain their daily allowance from, and smoke it in, a public licensed shop, from which they may not take away any opium.

Persons who are not registered and do not hold licences will not be allowed in opium-shops (*vide* Opium Law. Sec. 32D) and are liable to punishment if found, the danger of re-sale being thus practically removed. There will be complete control over the retail sale of opium, for the registered smoker will be supplied with a pass-book, which he must present to the retailer on making his purchase. The retailer will be required to enter in the pass-book and in his own statement of sales the quantity taken. A smoker may purchase less, but not more, than the daily amount that has been fixed for him.

From this brief statement it will be seen that the principle underlying this system of registration is that those already addicted to the drug will have an opportunity gradually to give up the habit, and other persons will be prevented from becoming opium-smokers. As these registered smokers finally give up the habit or die out, there will be no more opium smoking in the country.

For registration to be successful, it must be done once and for all, that is to say, after the date on which registration is begun, no new-comers will be registered. In Siam, this would be the case. Immigrants who are addicted to the drug will, therefore, enter the country at their peril when once registration is begun, for any application for registration and licence will be refused.

In this connection, I am very glad to learn from my honourable colleague from Japan that the practice in Formosa is that no immigrants who are addicted to the drug are allowed in the country; the Siamese Government is contemplating measures of the same nature when the system of registration has come into force in the country.

In the opinion of my Government, the system of registration as outlined above is the only effective means by which the opium habit can be suppressed. My Government is glad to learn that this system is already in force in certain countries and it sincerely hopes that the practice will extend to the neighbouring territories, for the Siamese Government can hope for very little success unless it has the collaboration of the neighbouring Powers and of the Powers still enjoying extra-territorial jurisdiction in Siam, that is to say, unless similar measures are adopted in the neighbouring territories *pari passu* with Siam, and the Powers with extra-territorial jurisdiction agree to apply our law in its totality to their own subjects in the country.

As an example of this jurisdiction difficulty, I may mention that we had a case before the Courts where we gave up to the Court the illicit opium which had been captured, and the Court never returned the opium to us; it kept it all, and I do not know what happened to it. Another example is that the authorities have adopted our law, except with regard to the punishment, the maximum punishment which they inflict being about 100 francs; any smugglers would, of course, be willing to pay a maximum fine of 100 francs.

The apparent decrease in the consumption of opium which would follow upon registration, involving an enormous loss of revenue, would, to a very great extent, result in an increase in the illicit traffic in the country and the object aimed at would not be attained.

To give an example of the audacity of the smugglers, I may mention that a large quantity of illicit opium was found in the baggage of the Consul of a great Power.

I would therefore make an earnest appeal to the representatives of our neighbouring territories to urge upon their respective Governments the necessity of adopting the system of registration in order to enable us in our turn to put into force the only effective measure by which the opium habit can be successfully suppressed.

Mr. J. CAMPBELL (India), referring to Annex 4, containing a summary of the present situation in Siam regarding the application of Chapter II of the Hague Convention of 1912, asked Prince Charoon for the equivalent weight and value in European measures and currency of a tamlung and a tikal.

Prince CHAROON (Siam) replied that a tamlung weighed 37.5 grammes. A tikal was worth about 1s. 10d.

Sir Malcolm DELEIVINGNE (British Empire) desired to offer a few observations and suggestions as to points of detail for the consideration of the Conference and as to its method of work. Any consideration of new measures or new proposals should be preceded by a very careful and thorough examination and study of the present situation in the different territories and European colonies in the Far East. A basis for the future must be a study of what had already been attempted in the past and of the results which had been obtained.

The Secretariat had collected a very large amount of information, which appeared in a document before the Conference (Annex 5). This information had been supplemented by the statements already made in the Conference. It had also been supplemented, so far as Great Britain was concerned, by the reports of the Committees appointed, at the request of the Imperial Government, by the local Governments in the colonies for the consideration of the subject. Those reports, together with additional information, had been laid before the Conference and they would, no doubt, receive the careful attention of the delegations.

The first point which occurred to him in studying the Secretariat's document was that there were considerable gaps in the information, and he agreed with the remark of the delegate of Portugal as to the desirability of completing the data on the subject-matter which was being considered. For example, there were no figures of the consumption of opium in Macao for the last three years, 1921, 1922 and 1923: It was stated under the heading of "Korea" that "the importation and use of opium prepared for smoking are prohibited", but no information was given as to the importation of raw opium. Again, under the heading of "The Leased Territory of Kwantung" the document stated: "It would appear that the opium sold as prepared opium is actually prepared by the retailers and there are no statistics available for prepared opium". Comparing that with the table on page 7, he found, at least in one year, 1921, a statement of the amount of prepared opium actually consumed in the Leased Territory of Kwantung. There seemed to be some little inconsistency there. In any case, the figures for Kwantung were not complete.

On page 9, in Part 2 of the document, in the table which gave the figures which had been furnished by the various Governments regarding their estimated requirements, certain important information was lacking.

If there were any gaps in the information which had been supplied with regard to the British territories, the British delegation would be very happy to give supplementary information to the Conference in so far as it was available.

If the Conference were to make a thorough study and examination of what had already been attempted and the results obtained, he thought that the various Powers concerned would be able to assist each other to a very great extent. The systems of control in some cases differed widely in the different territories, and the experiences and results had also been different. The Powers should compare results with a view to benefiting by their respective experiences.

There were three points on which this might be done. The first was the actual rate of consumption of prepared opium in the different territories. An examination of the figures contained in the Secretariat's documents would show, *prima facie*, some very marked divergences in the rates of consumption in the different territories. That was a point which should be carefully examined, and, if possible, the reason for it traced. It had a very important bearing on the subject-matter of the Conference, because an examination of the question might point the way to one means of reducing the amount imported for the purpose of smoking in these territories.

The second point was that the Conference should examine and compare the systems of control in the different territories. These systems of control were contained partly in the laws and regulations adopted by the local Governments, and partly in the systems of administration by which effect was given in practice to those laws and regulations. Information on that point was very incomplete, and an attempt should be made to bring it up to date. He noticed from some of the reports which had been received that there was a considerable difference of opinion as to the effect of certain measures. These points should be examined with particular care. For instance, there was a considerable difference of opinion as to the effects of the system of registration, which was one of the proposals which the Conference would have to consider. It was necessary to know the actual facts as to the results obtained where a system of registration had been introduced, the difficulties which had been met, and the success or failure which had attended the attempt to introduce it.

The third point was that which had already been referred to by the President, namely, the question of smuggling. The situation in this respect had become very much worse in the Far East during the last two or three years. It had become so much worse that in the case of some of the territories it might be said almost to have changed the situation completely. The case of Hong-Kong might be taken as an example. The Hong-Kong Government estimated that there was as much illicit opium consumed in the colony as Government opium. That was a factor of enormous importance in considering what could be done in Hong-Kong to carry out the provisions of Chapter II of the Opium Convention and to bring about the gradual suppression of opium smoking. The sources of the smuggled opium should be examined. That was a point which had not received nearly as much attention hitherto as it deserved and was one on which he would have some observations to make.

The position in Malaya was very much the same, though not quite so bad. It was estimated by the expert officials of the Malayan Administration that the amount of illicit opium consumed in the colony was about 30% of the Government opium. Malaya, of course, was very much more remote from the mainland of China than was Hong-Kong, and the difference between the two figures of 100% in Hong-Kong and 30% in the Straits Settlements was, no doubt, accounted for by this fact.

He would be able to give the Conference some extremely interesting information as to the smuggling traffic which now prevailed between the Far East and the Straits Settlements. In that connection, the Conference would have to consider whether the measures for the control of exports from the Far Eastern territories were sufficient, and whether, indeed, any export of opium, raw or prepared, from the Far Eastern territories in which smoking was still permitted, in accordance with the conditions of Chapter II of the Hague Convention, should be allowed at all.

Sir Malcolm Delevingne was not quite sure in what manner it would be easiest for the Conference to attempt the examination of these matters to which he had called attention. It might be that it would be able to obtain most quickly some preliminary results, in regard, for example, to the comparison of the actual rates of consumption, by referring the examination of the matter to a Committee.

He wished, however, to draw the attention of the Conference to these points, and to the importance of clearing up the situation with regard to them. When this had been done it would be possible, he thought, to pass, with a much better chance of effective and successful results, to the discussion of the suggestions which had been put forward by the Opium Advisory Committee in its report last year, and the other suggestions which had been or might be put forward by members of the Conference.

M. SZE (China) asked Prince Charoon for an explanation on a certain point. Prince Charoon had mentioned in his statement the difficulties encountered by the Siamese Government by reason of the privilege of extra-territoriality enjoyed by foreign nationals. He had mentioned a case brought before a Consular Court, during which something had disappeared. What had disappeared ?

Prince CHAROON (Siam), Vice-President, explained that the case had concerned a quantity of illicit opium which the Siamese Government had seized and submitted to the

Consular Court as evidence, but which had never been returned to the Government, as should have been done.

M. SZE (China) thanked Prince Charoon for his explanation.

M. SUGIMURA (Japan) stated that the suppression of opium for smoking in Korea was an accomplished fact. With regard to any deficiencies that might appear in the information furnished by the Japanese Government, he was ready to give all possible additional information, as suggested by the British delegate, especially concerning figures in respect of Kwangtung.

SIXTH MEETING

Held at Geneva on Wednesday, November 5th, 1924, at 3.30 p.m.

President : M. van WETTUM (Netherlands).

12. Consideration of the Present Situation in China with regard to the Production of Opium and its Effects on the Control of the Use of Opium in the Neighbouring Territories. Item III (a) of the Agenda.

M. SZE (China) made the following declaration :

Before I read to you the statement that I have prepared I wish just to preface it with a word or two. My desire is to avoid any misunderstanding. I want to call your attention to the fact that I am not speaking in my mother tongue but in a foreign language and I have considerable difficulty in preparing statements of this kind. I wish, however, to ask for your co-operation, in case you should find not quite clear any expression, any sentence or any clause in the statement that I shall have the honour to read to you presently, and I should consider it a favour if you would call my attention to it and ask me to explain it.

China comes to the Conference with the earnest desire to co-operate to the extent of her sovereign powers with the other nations in the attempt to solve the serious problems connected with the misuse of opium, of the derivatives from opium, and of other narcotic drugs. Even more than other nations, China has suffered, and still is suffering, from the acts of individuals over whom she has not had, and does not have, effective control by reason of the obligation that has been imposed upon her to concede extra-territorial rights to the nationals of certain of the Powers with which she has treaty relations.

Opium is not indigenous to China but was introduced into the country from abroad.

When the practice of smoking opium became widespread, and was seen to be an evil, the Chinese Government sought for many years to prevent the entrance of the drug into the country. Its importation was prohibited by law. Smuggling, however, continued. China's attempt to curtail this smuggling did not meet with the co-operation of those Powers the nationals of which were engaged in the traffic. In fact, the controversies that arose out of this effort of the Chinese Government to protect its own people against a practice that was debauching them was the immediate, if not the sole, cause of the first war in which China became unfortunately engaged with European Powers. As a result of this war, China was compelled to grant extra-territorial rights to the nationals of the Treaty Powers living within her borders and to submit to the dictation of foreign Powers as to what goods might or might not be imported into China and the Customs dues that might be levied upon them, with the result that, within a few years, the importation of opium without limit as to amount was legalised.

Following upon this, the Chinese people, seeing that the product of the foreign-grown poppy was not to be excluded, began, to an increasing extent, to cultivate the plant.

The smoking of opium continued, however, to be recognised as an evil, and, finally, in 1907, China obtained from the British Government, from whose Indian possessions came most of the opium that was imported, an agreement that each year, for a period of ten years, it would reduce the total amount of opium exported from India by an amount equal to one-tenth of the amount then being exported to China, upon condition that the Chinese Government, upon its part, would, *pari passu*, bring to an end the cultivation of the poppy in China.

Certain of the foreigners who were concerned in the negotiation of this agreement have since frankly confessed that they had little expectation that China would be able to carry out her part of the agreement, but, to their surprise, and to that of the entire world, the Chinese Government, aided by the public opinion of the most enlightened of her people, was

able to do this, with the result that, in 1917, the production of opium in China had come practically to an end, and Great Britain agreed that henceforth no Indian opium was to be exported to China. This has meant that, since that time, no opium, except in minute quantities for medicinal or scientific use, has been legally introduced into China, for, with the other opium-producing countries, especially Turkey and Persia, China has no treaties that limit her right to control imports.

At the present time, no Power is more concerned than is China that, from the proceedings of this Conference, agreements should result which will hasten the movement for the total suppression of the use of prepared opium. She is concerned as to the welfare of the Chinese people living outside China as well as of those living within her own borders.

It is clear that this result cannot be hoped for without the whole-hearted co-operation of all the Powers which have territorial interests in the Far East. China frankly admits, and greatly regrets, that, due to temporary disturbed political conditions within her own borders, there has been, to a certain extent, a recrudescence of the cultivation of the poppy and of the production and use of prepared opium. This fact, no doubt, complicates and renders somewhat more difficult the solution of the problem with which the Conference is concerned, but it is to be borne in mind that this is but one element in the present situation, and that, serious as it is to the Chinese people living in China, it is of general or international significance only in so far as Chinese-produced opium finds its way outside the borders of China, and there is no certain evidence that this occurs to a very great extent.

It will, therefore, be unwise, as well as unjust to China, should the fact of the recrudescence of the production and use of prepared opium in China be made an excuse for non-action on the part of the Powers, or in any way allowed to discourage them from making every possible effort to bring to an end, within their several jurisdictions, the smoking of opium or the export of opium which will be used for that purpose. Equally it is to be hoped that the Powers will not feel justified in remitting their efforts to prevent practices upon the part of their nationals which render more difficult the task confronting China in her endeavour to suppress, within China, the production and use of prepared opium.

The Chinese delegation does not believe that any good will result from unconstructive criticism of each other upon the part of the Powers represented at this Conference, and, therefore, it is not disposed to mention in a fault-finding way certain of the evils, serious though they are, from which the Chinese people, in and outside China, are suffering by reason of the foreign-grown opium that is smuggled into China, and also by reason of the great amount of foreign manufactured narcotic drugs which are illegally introduced into and sold in China. This debauching traffic is for the most part carried on by nationals of foreign Powers.

This situation of affairs, with reference to the smuggling of narcotic drugs, is mentioned in this first Conference only because its effect is greatly to increase the difficulty of the task of the Chinese Government in its efforts to enforce its laws which prohibit absolutely the production or the smoking of prepared opium. Reports have come from provincial authorities that, almost in proportion as they succeed in stamping out the smoking of opium, there is recourse, especially by the poorer classes, to these smuggled-in narcotic drugs. Thus, in a recent letter to the International Anti-Opium Association at Peking, His Excellency Wang Cheng-Pin, Civil Governor of the Metropolitan province of Chihli, says: "There are signs, I believe, if I am not too optimistic, that the opium evil may be stamped out in my province before long. But it is regretted that the greater the success of the opium suppression in Chihli, the more prevailing is the narcotic problem. This traffic in morphia, Chintan or white pills is more pernicious than opium to our Chihli people. China does not manufacture narcotics. The morphia, cocaine, heroin all come from abroad."

If this be a true statement, and there is no reason for believing that it is not, it is evident that the enforcement in China of the laws against the production and use of prepared opium will be carried on under very discouraging conditions so long as effective steps are not taken greatly to lessen, if not wholly to put an end to, illicit trade in narcotic drugs.

Just as China hopes and expects that the other Powers will take such action as will render more easy the solution of her own problem with reference to opium and narcotic drugs, or at least that they will place no hindrances in her way, so, reciprocally, she stands ready to do all that lies within her power to facilitate the efforts of other Governments to suppress the smoking of opium and the illicit use of narcotic drugs within their several jurisdictions.

On her side, China gives the assurance that, when the present disturbed political conditions in her territory come to an end, and a government with more effective administrative powers is established, the production and use of prepared opium will, in fact, be stopped. This will be one of the first reforms to which such a government will address itself. That she will then be able to repeat her remarkable achievement of the period from 1907 to 1917 there can be no reasonable doubt.

Enlightened public opinion in China is now more widespread than it then was, and is equally united in the belief that the smoking of opium is morally and physically debasing to those who indulge in it. Since 1907, the extension of education along modern lines has been very rapid. The doctrines, too, of scientific hygiene and medicine have become more

generally known, and thus, when the Chinese Government finds itself happily enabled again to secure a more rigid enforcement of its laws and decrees throughout the provinces, it will have its efforts supported by an enlightened public opinion even more strongly than was the case during the years from 1907 to 1917.

The International Anti-Opium Association, in one of its most recent publications, *Letters from Chinese Statesmen and Leaders on the Present Opium Conditions in China*, has this to say of China's achievement of those years :

“When we consider the difficulties that lay in the way of this reform, such as the enormous numbers who had acquired the opium habit, the moral weakness brought on by the habitual use of the drug, the physical sufferings and dangers inseparable from a cure, the large amount of capital invested in the trade, the great profits easily made, the many engaged in the trade, both Chinese and foreign capitalists, agriculturists, merchants and the like, and also the important revenues in China and India, it does seem as if the impossible had been accomplished, and throughout the whole civilised world the Chinese Government and people were credited with having wrought a moral reformation almost without parallel in the history of the world.”

China then had the especial sympathy and aid of Great Britain, India and the United States. She now hopes for the same sympathy and co-operation, not only from those States but also from the other Powers.

As evidence of this aid and co-operation, China asks not only that, as has already been indicated, the other Powers should do all that is in their power to prevent the entrance of narcotic drugs into illicit trade, but that they should take every possible step to bring to a speedy end the use of prepared opium in their several Far Eastern territories.

To this end, China asks of the Powers :

1. That the smoking of prepared opium be declared in unqualified terms to be a harmful and therefore illegitimate use of opium.

2. That the importation of opium into their several territories for other than strictly medicinal and scientific uses be at once forbidden, or, where this is not immediately practicable, that such importation be progressively curtailed each year and be wholly forbidden within a definite and brief period which shall be agreed upon.

3. That the exportation of opium for other than strictly medical or scientific purposes be at once forbidden or, where this is not immediately practicable, that such exportation be progressively curtailed each year and be wholly forbidden within a definite and brief period which shall be agreed upon.

4. That these undertakings with regard to the importation and exportation of opium be applied to the colonies and other dependencies of the contracting Powers.

5. That the use of prepared opium by those of the Chinese race as well as by other persons subject to their respective territorial jurisdictions be forbidden, but that there be excepted from this prohibition persons who, because of age, or long habituation to the use of the drug, may, upon proper medical grounds, require special treatment.

Perhaps I may say in parentheses in this connection that some of the propositions which I have submitted really belong to the province of the morning meetings, but I find the work of the two meetings is so interwoven that I have taken the liberty of submitting the propositions to you as a whole now, with the request that, at the proper place and at the proper time, you will give consideration to them in conjunction with the suggestions which will be laid before you by the other delegations.

In conclusion, it is to be said that, as was emphasised at the second meeting of this Conference, the Chinese Government attaches great value to the force of enlightened public opinion in rendering effective whatever attempts may be made to correct or lessen the evils

from which the peoples of the world are suffering by reason of the improper use of opium, of its derivatives, and of other narcotic drugs. For this reason principally, the delegation for which I speak has earnestly desired that the proceedings of this Conference should be public in the fullest sense of the word.

Mr. CAMPBELL (India) felt that some points in M. Sze's statement should not go on record without comment. M. Sze had said that China did not begin cultivation until after the country had been flooded with imported opium. He (Mr. Campbell) found evidence of the existence of opium in China as early as the fifteenth century and of its cultivation on a large scale in three provinces as early as 1820.

With regard to M. Sze's suggestion that China was forced to accept opium as a result of the first Anglo-Chinese war, Mr. Long, the Chinese Secretary of Lord Elgin's Mission, had made the following statement :

"When I came to opium, I enquired what course they (*i.e.* the Chinese) proposed to take in respect to it. The answer was: 'We have resolved to put it into the tariff as foreign medicine'. I urged a moderate duty in view of the cost of collection, which was agreed to... This represents, with strict economy, the amount of extortion resorted to... The Chinese Government had admitted opium not under constraint but of their own free will, deliberately."

Mr. Lawrence Oliphant, Secretary to Lord Elgin's Mission, had said :

"When we came to the article 'Opium' I informed the Commissioner that I had received instructions from Lord Elgin not to insist on the insertion of the drug in the tariff should the Chinese Government wish to omit it."

Mr. Campbell confessed his disappointment at M. Sze's statement, which he did not think adequate to the position. The estimated production of opium in China at the moment, as accepted by the Chinese representative at the Opium Advisory Committee, was 15,000 tons per year, or approximately 90 % of all the opium grown in the world. This was the dominant factor in the situation. Half the opium consumed in Burma was contraband, smuggled from China, and a similar state of affairs prevailed in Hong-Kong, the Straits Settlements and Indo-China. All attempts on the part of the Governments concerned to control the opium traffic were overwhelmed by this enormous output.

There was a certain irony in M. Sze presenting to the Conference a series of drastic measures the realisation of which would, in any event, be rendered impossible as a result of the production of opium in China. What definite measures did China propose to take to deal with her present overwhelming production? He understood the difficulties of the Chinese Government, but unless her delegates could suggest very much more definite measures, the success of the Conference would be imperilled.

M. CHAO-HSIN CHU (China) said he had not admitted in the Advisory Committee that China was producing 15,000 tons of opium a year. The report of the Anti-Opium Association quoted by Mr. Campbell was not official, and he (M. Chu) would accept no responsibility for the figure. He would leave M. Sze to make a general answer to Mr. Campbell's remarks.

Mr. CAMPBELL (India) then read the following passage from the Minutes of the Sixth Session of the Advisory Committee (Document C. 397.M.146.1924.XI.), page 46 :

"Mr. CAMPBELL (India) wished to emphasise two points :

"(1) That publicity should be given as rapidly as possible to the extent of the evil. It was stated in the report of the International Anti-Opium Association that the production was about 15,000 tons a year ; in other words, China was now apparently producing roughly nine tenths of the whole quantity of opium produced in the world.

"M. CHAO-HSIN CHU (China) said that, after hearing all the statements of the previous speakers, he could only take the blame on behalf of his country and accept the criticisms which had been offered."

M. CHAO-HSIN CHU (China) said that on the occasion in question he had not admitted that China produced any definite amount of opium. He could not deny that his country produced a certain quantity of the drug, and he therefore took the blame on its behalf. The definite figures were not his. How could anyone know how much opium China produced ? The figures quoted had been provided by the Anti-Opium Association.

M. SZE (China) repeated his reminder that he was not speaking in his own language, and pointed out that M. Chu was in the same position. This kind of discussion did not help the object of the Conference. He reserved his answer to Mr. Campbell's remarks until he should have received communication of the point of view of other delegations.

Mr. CAMPBELL (India) did not wish to leave this point indefinite. The extracts from the Minutes which he had read conveyed, in his opinion, the meaning that M. Chu accepted the estimate of production at the figure quoted. The whole discussion was directed to the end that publicity should be given to the opium situation in China. The Minutes of the same session of the Advisory Committee (Document C. 397. M. 146. 1924. XI, page 109) included the report of the Advisory Committee to the Council of the League, in which the following passages occurred :

“It would appear from the report of the International Anti-Opium Association that the production of opium in China amounts to not less than 15,000 tons yearly, which, according to the estimate of the member for India on the Committee, would represent about nine-tenths of the total annual world production. This enormous production hampers in a high degree the control of the opium traffic throughout the Far East.

“In view of these facts, the Advisory Committee, considering that all measures at its disposal to deal with the situation had been exhausted, agreed to refer the question to the Council. On the proposal of Sir John JORDAN, amended by Sir Malcolm DELEIVINGNE, the Committee unanimously decided to recommend that special steps should be taken by the appropriate department of the Secretariat of the League to secure a full publication of the discussion which had taken place in the Committee on this matter, especially in the Far Eastern Press, with a view to bringing the influence of world public opinion to bear upon the Chinese authorities in the provinces and to stimulating public opinion in China itself.”

M. Chu had accepted this report and he had certainly not challenged or made any objection to the estimate.

M. CHAO-HSIN CHU (China) pointed out that in the Advisory Committee he had been unable to accept as official the figures in question, and he referred to the following paragraph in the Minutes of the same session of the Committee (page 45) :

“M. Chao-Hsin Chu had said that the representatives of the International Anti-Opium Association had not presented any report or, at any rate, the Chinese Government had not received it—and that, consequently, the Chinese Government could not accept as official the report to which Sir John Jordan had alluded.”

The figures quoted had been supplied by the International Anti-Opium Association.

Mr. CAMPBELL (India) considered that the statement that “the Government could not accept as official” was very different from a declaration that the statement was incorrect.

M. CHAO-HSIN CHU (China), referring to the passage previously quoted, said that in the Advisory Committee he had welcomed the criticism but had not necessarily accepted it.

M. SZE (China) then summarised M. Chu's explanation. M. Chu admitted the fact that opium was being produced in China. This did not imply that he accepted the figures that had been given.

The PRESIDENT proposed the continuation of the debate on Article III (a) of the agenda.

Sir Malcolm DELEIVINGNE (British Empire) proposed the adjournment of the Conference till the next day, in order to give an opportunity for a careful study of the Chinese delegate's statement. This statement called for comments, some of which Mr. Campbell had made.

M. SZE (China) seconded the motion of adjournment. He reserved the right to answer Mr. Campbell later in the proceedings, as he thought that Mr. Campbell had based at least one of his points on a misunderstanding.

SEVENTH MEETING

Held at Geneva on Thursday, November 6th, 1924, at 10.30 a.m.

President : M. van WETTUM (Netherlands).

13. Examination and Consideration of the Present Situation in regard to the Application, by the Powers represented, of Chapter II of the International Opium Convention of 1912 in their Far Eastern Territories and of the Difficulties which have been encountered in giving effect to Chapter II of the Convention (*continuation of the discussion*).

M. CLINCHANT (France) made the following statement :

In order to fulfil the programme of the Conference, I desire to explain the present situation in French Indo-China from the point of view of the opium question ; to remind you of the measures which have been taken in that colony to ensure the observance of the obligations assumed under the Hague Convention, and, finally, to indicate the measures recommended by the French delegation for combating the opium evil.

I am only going to speak about French Indo-China. As regards the French settlements in India, the total consumption of opium is fixed by Franco-Indian agreements at 940 kilos per year—a figure which, in point of fact, has not been reached. It should be added that this drug is not used in any other French settlement, colony, protectorate or mandated territory.

There are two points with regard to the situation in French Indo-China which it is essential to emphasise.

Indo-China is not an opium-producing country ; the poppy is only cultivated in certain districts in Laos and Upper Tonkin, the average production in those districts not exceeding five tons. Indo-China borders, however, on countries in which the poppy is extensively cultivated, being separated from them by a long mountainous frontier.

For this reason, it has been impossible to prohibit the use of opium in Indo-China. The average consumption is about 65 tons a year, which, for a population of twenty millions, represents three grammes per head per annum. The number of smokers only amounts to three-thousandths of the total population.

Long before the Shanghai Conference—namely, since 1883—France has engaged in a campaign against opium. She has persevered in it, redoubling her efforts when the Imperial Decree was issued providing for the suppression of the cultivation of the poppy in China within a period of ten years.

The struggle was characterised by the adoption of the following measures :

- (1) The raising of the sale prices of manufactured opium ;
- (2) The prohibition of the sale of dross ;
- (3) The diminution of the sale of opium in the shops ;
- (4) The gradual closing of public smoking-dens ;
- (5) Educational propaganda by means of placards and lectures.

I will explain in a moment how the effect of raising the sale price and diminishing the sale in shops has been lessened as a result of contraband.

The campaign has been carried on methodically and stage by stage so as not to give rise to any unrest. From 1884 to 1922, more than twenty-six decrees and ordinances have laid down the regulations governing the question.

Monopolies for the purchase, manufacture and sale of opium have been established and entrusted to the Customs administrations. A very rigorous system of repression has been organised.

The combined result of these financial, administrative and legislative measures has been to reduce consumption by 45 per cent in less than fifteen years. To-day, the evil is not spreading among the native population.

There is no longer any smoking-den in existence at Annam or Tonkin. Fifty-four smoking-dens were suppressed last year in Indo-China. The price of the drug has risen from 88 piastres to 187 piastres, and consumption has fallen from 128 tons in 1916 to 73 tons in 1923.

In the light of the experience acquired in Indo-China, the French delegation would recommend, in order to ensure the progressive diminution of the use of prepared opium, the conclusion of a draft agreement containing the following measures, which it commends to the consideration of the Conference :

The State Administration alone shall be entitled to import and export raw or prepared opium. The passage in transit, the transshipment or the warehousing of raw or prepared opium shall be prohibited.

The system of leasing shall be prohibited. The sale of raw or prepared opium within the territory may only be entrusted to a department of the Administration.

Opium may only be sold in shops maintained by the Administration.

The number of these shops may not be increased. It must be progressively reduced.

The number of dens for the smoking of opium at present in existence may not be increased. It must be progressively reduced.

The removal of a smoking-den to premises other than those in which it is at present established shall be prohibited. No new smoking-den may be opened, even to take the place of a smoking-den which has been closed. Any smoking-den which has ceased to carry on trade for more than a month shall be regarded as being suppressed and may not be reopened or transferred to another party.

The smoking-dens shall not exhibit any signboard.

Any person infringing these regulations shall be liable to a fine and imprisonment or to one of these penalties only. In the case of a second offence, the maximum fine shall be imposed and a sentence of imprisonment shall always be pronounced.

The sale of dross shall be prohibited.

These measures, however, will only be really and fully effective in Indo-China if the production of opium is strictly regulated.

Foreign opium is, in point of fact, smuggled across the land frontiers of Laos and Tonkin. The drug penetrates into the country not only along the 3,500 kilometres of mountainous frontier but also along the coast, where attempts are being made, with the aid afforded by the hundreds of islands in Along Bay, to establish a clandestine system of traffic. Thousands of kilogrammes are seized every year, but thousands more inevitably escape notice owing to the great difficulty of exercising supervision.

The essential question, therefore, is to prohibit the cultivation of the poppy. Any policy which aims at restricting consumption is destined to fail until cultivation has been restricted. The evil must be dealt with at its roots. Cultivation must therefore be effectively regulated before any legislative measures are taken to restrict consumption.

The geographical situation of our colony prevents us from putting a stop to the illicit importation of the drug. The contraband which is carried on cannot possibly be suppressed. If, with a view to reducing the number of opium consumers, the Government only supplies small quantities of the drug, the consumers will have recourse to the contraband trade. If the Government raises the price, contraband becomes more active. The more profitable the contraband traffic is the more it will increase. The situation will become worse than before, not only because the contraband opium is more harmful than the Government opium but because the smugglers form themselves into armed bands which hold the villages to ransom, engage in the traffic in women and infest every frontier.

I will conclude this statement by emphasising the following points :

1. Indo-China is not an opium-producing country and does not desire to become one. It therefore does not constitute a *centre for the propagation of the evil*.

2. Indo-China is not addicted to the opium habit. There would be practically no consumption of opium at all within its territory if it were not for the foreign immigrant element.

3. The poppy is cultivated as extensively as before in the neighbouring countries, and it is that cultivation which must be restricted. The most rigorous prohibitions and regulations in Indo-China remain without effect. Their only result is to put a premium on the contraband opium which replaces the Government opium.

The only solution for countries which are neighbours of a great producing country, and which firmly intend to reduce the consumption of opium within their frontiers, is to secure the limitation of this production.

Mr. CAMPBELL (India) wished to make a brief statement as to the position in India and Burma regarding opium for smoking.

In British India, excluding the population of Burma, there were about 230,000,000 people. There was, he was glad to say, no problem as regarded opium smoking in British India. The feeling of the people was, and always had been, very strongly against the practice. As a result, the Government had found no difficulty in limiting this practice to the point of practical extinction. Since 1891, the most rigorous measures had been taken against opium smoking, and owing to the widespread support which these measures had received from public opinion they had been entirely successful. Since 1891, opium smoking on licensed premises had been prohibited, and the sale of madak and chandu was also prohibited throughout the whole of British India. In 1911, all public smoking was absolutely suppressed, and all manufacture of opium for smoking, except by individuals of the small quantities which they could legally possess for their own use, was also prohibited.

The position in Burma was different, and had been fully explained in a memorandum which he had handed in to the Secretariat (Annex 6). To put the matter very briefly, the policy in Burma had been to prevent the Burmese from consuming opium. Upper Burma had been annexed in 1886, and the use of opium had been at once prohibited for all Burmese in Upper Burma. There was a similar prohibition in Lower Burma, which, however, was attenuated by the fact that there the habit had taken a slight hold. That situation was met by registering all Burmese consumers of the drug. The number registered had at one time been about 34,000; the number registered at the moment was 3,500. 3,500, therefore, represented the total number of Burmese consumers, out of a population of 13,000,000.

The actual facts as regards Burma were, he thought, fully described in the memorandum, and Mr. Clayton, who had special experience of Burma, would address the Conference on the subject. Moreover, Mr. Clayton would supply any further particulars that any member might desire regarding the position.

Mr. CLAYTON (India) said that Burma was, in many respects, like French Indo-China. It had a long sea frontier, stretching from Bengal to Malaya. It had a long land frontier, which was mountainous, and to a great extent either wholly uninhabited or very sparsely inhabited. The longest land frontier mainly adjoined the frontiers of Siam and China, and so there were no Customs. Trade across the land frontier was free. The excise authorities, therefore, could have no assistance from the Customs Department in the control of the entry of contraband opium.

The position with regard to Burmese consumers had been stated by Mr. Campbell. He would add that the number of registered Burmese consumers during the last three or four years had been decreasing at the rate of from 400 to 500 per annum. Burmese consumers were predominantly eaters; very few of them—only one in seven or eight—smoked opium. The Indian consumers were entirely eaters, while the Chinese were almost entirely smokers of opium. The total number of consumers of all races in August last had been approximately 40,000.

In the present year, a system for the registration of Chinese smokers was introduced on the lines of the regulation of Burmese consumers, the idea being that, once the list was closed, no one who was not registered would be permitted to possess prepared opium. This was a new proposal, and whether it would be successfully carried out remained to be seen.

The sale of opium was carried out only by Government shops. The regulations which governed that sale were stated in the document which had been distributed. Briefly, all sales took place in the presence of a Government officer, who checked them, recorded the amount sold both on the ticket in the possession of the consumer and in the shop registers, and took care that the sales to each consumer were not beyond the ration specially imposed in his case. All consumers were therefore rationed and their consumption of opium carefully supervised.

The issues of Government opium in Burma had been reduced during the past four years by 25%. At the same time, the retail price had increased by 50%. In the year 1923-1924, the issues were approximately 32,000 kilos, and the average retail price was 1,200 francs per kilo.

As to the amount of Government opium sold in the form of raw opium which was subsequently prepared for smoking, no accurate information was available, but a calculation based on the figures for 1920-1921, the last year in which prepared opium was issued from the shops, indicated that the amount of Government opium smoked in 1923-1924 was, in terms of prepared opium, about 14,000 kilos.

The difficulty which confronted the opium administration in Burma, like that which confronted the same administration in Indo-China, was the importation of contraband opium. Opium on the Chinese border was available at very low prices and in very large quantities. There were signs that its importation was very largely increasing, and that it was driving out the illicit opium from India, which used to be that mainly used by smugglers in the areas close to the ports having communication with India. On the Yunnan border during the past three years, the retail price of Chinese illicit opium had been approximately 260 francs per kilo, and the wholesale price from 40 to 120 francs per kilo. In Rangoon, the wholesale price of Chinese opium (which was, of course, the illicit opium) had varied from 884 to 1,190 francs per kilo; the retail price in 1923-1924 was 1,600 francs per kilo. In Bengal, the wholesale issue price was 408 francs, while in Rangoon the price of opium illicitly imported from India was 952 francs wholesale and 2,200 francs retail. The Government had thus succeeded in controlling the administration of opium to such an extent that illicit opium in the main centres of population, in Lower Burma at any rate, commanded a very high price.

With regard to the amount of illicit opium in the country, the position was not so satisfactory. The average annual seizures during the past few years had been about 3,500 kilos. On the assumption that 10% of the illicit opium in the country was seized, the amount of such opium would be 35,000 kilos. Government opium was not, it was thought, the subject of much illicit traffic. If 1,000 kilos were added for Government opium which might be misused, a total of 36,000 kilos of illicit opium in the province was obtained. This exceeded the annual issue of Government opium by 12½%.

The position was therefore a serious one, and on behalf of the Government of Burma he could associate himself entirely with the position taken up by the French delegation; the effective control of opium in Burma depended definitely upon the restriction of production in the adjoining country.

The PRESIDENT wished to know the desire of the Conference as to the procedure to be followed. The delegate of the British Empire had pointed out the day before what sort of additional information was wanted in order to throw full light on the present situation. As all these questions were technical, perhaps it might be better, in order to save time, not to discuss them in the full Conference.

M. SZE (China) wished to make a few brief general remarks in regard to the different statements which had been made. The President had asked whether the delegations of other countries having territories in the Far East wished to make any remarks, and he (M. Sze) had been awaiting them. As none were forthcoming, he wished to make a few general remarks.

He had followed with considerable interest the statements made by the different delegations. They were certainly very instructive, although he was not prepared to concur in all the views expressed.

He noted that, in the statements made by the Dutch delegate, the Portuguese delegate, the delegate of the British Empire, and also the delegates who had spoken at the present meeting, mention was made of the seriousness of the illicit traffic. In this connection he thought it would perhaps be of use to the Conference to have, if it were available, information as to the nationality of the smugglers, the form and amount of the drug smuggled and the destination and origin of the smuggled consignments.

He noted that the illicit traffic was not only giving concern to the Conference but also that, on account of it, members spoke of the impracticability of the immediate suppression of the use of prepared opium, because they feared that the suppression would result in the replacing of legitimate opium by smuggled opium. This apprehension was not, he thought, so great as members were inclined to think. If no prepared opium was to be allowed to be smoked, it would be much easier to detect the existence of opium, because opium could not be smoked without its being easily detected. The smell from the smoking was so strong that it could be detected at some distance. Further, opium-smokers could always be distinguished from non-smokers by their complexion, the stain on their hands and, in some cases, even by their voice.

With reference to the statement made by the Portuguese delegate, might he ask what Macao had done towards checking the illicit traffic in opium? Did the authorities keep track of opium which was re-exported from Macao so as to ensure its reaching its true destination? He noted that the Portuguese delegate had also dwelt upon the subject from the economic point of view. He could well understand that, for those territories the revenue of which depended largely, if not entirely, on smoking and gambling, it would be difficult if one or both were prohibited immediately. If it were on account of the fear of the loss of revenue that the suppression of opium smoking had been delayed, he suggested, in view of the recognised harmful effects of the smoking of opium, that Portugal might apply to the League of Nations for a loan to tide her over the transition period.

He heartily endorsed the suggestion made by the British delegate that the re-export of opium from any territory should be stopped, for reasons which were so well known to the members of this Conference and to those who had studied the subject that it would be unnecessary to state them.

The British delegate had called attention to what he called the "gaps" in the statistics supplied to the Conference by the Secretariat. It would be most useful for the gaps to be filled wherever possible.

He would like to make a request that the Minutes of this Conference should be published verbatim and not in summary form.

As regarded the three points mentioned by the British delegate, he agreed that they were very important matters and that the Conference ought to look into them and compare notes upon them. Everyone would then work together with the object of finding a solution which would be acceptable to all, and at the same time bring about an effective suppression of prepared opium within a definite period of time.

With reference to the estimate placed by Hong-Kong on the proportion of illicit and licit prepared opium consumed there and also the estimate given by Malaya on the same subject, to what year did those figures refer and what method had been employed in order to arrive at the estimate? Further, had those two territories any estimate as to the smuggling of opium out of their borders? If so, he would like to know what the amount was and by what process it was determined.

The Siamese statement was very interesting. He sympathised with the Siamese Government with regard to the difficulties resulting from the existence of a system of extra-territoriality in the carrying out of the work for the suppression of the smoking of opium. In view of the difficulties with which it had to contend, the results achieved were remarkable.

He wished to congratulate the Japanese delegate on his dignified and precise statement. He had clearly demonstrated what could be done if a real effort were made. The statement of the Japanese delegate, that "in large measure the question in China reacts on the problems in other countries and vice versa", corroborated the position which he had always maintained. While the recrudescence of the cultivation of the poppy in China reacted on other territories in Asia, the conditions in those territories also reacted on China.

The Japanese delegate had informed the Conference, with reference to Formosa, that "there had been only a few infringements of the regulations, contrary to our expectations". This statement ought to dispel the apprehensions of others who hesitated to undertake measures for the suppression of opium. The fact that Japan could do it successfully in Formosa, which was right at the gate of the mainland of China, was sufficient evidence that this problem of the effective suppression of opium was within the realm of practicability. It appeared that the fears of others as to what might happen were groundless. The economic gain of Formosa ought to allay the fears of those who thought that the suppression of opium might entail a loss of revenue. He joined with the Japanese delegate in urging the European Powers to adopt, in their territories in Asia, some form of prohibition leading to the eventual suppression of prepared opium within a definite period of time. The Japanese delegate had said "if they (the Powers) would only let the Chinese people see their good example and have the benefit of their opinion in the solution of the Chinese opium problem, then it would indeed help towards hastening the solution of the deep-rooted evils of China".

If M. Sze had understood the French delegate correctly, Indo-China admitted that she could not efficiently police her own borders even to the extent of preventing the formation and operation of armed bands of smugglers, who could terrify villages, seize women, etc. Here was a confession of Governmental incompetence even when there were not, as there were in China, disturbed political conditions. It would appear that the entry of Chinese opium into Indo-China was illegal under both the Indo-Chinese and the Chinese laws. It would be interesting to know whether the transit of Chinese opium through Indo-China had to any extent received the approval of the authorities of Indo-China.

Attention had been called to the smuggling of Chinese opium into British India. The Chinese delegation would therefore ask whether the Indian Government had any figures as to the amount of opium produced in the native States of India, and especially in the Shan States, and whether the Government had any information upon which it felt it could rely as to the possibility of the sending of such opium produced in these native States either directly to China or through Afghanistan.

M. RODRIGUES (Portugal) referred to the fact that the Chinese delegate had thought fit to offer certain advice to the Portuguese delegation concerning the measures which Portugal should take in order to suppress the opium habit and gambling among the Chinese population in the colony of Macao.

He thanked the Chinese delegate for his kind intentions but observed that the country which he had the honour to represent had no need of advice on the internal administration of its colonies from anyone, no matter with what authority that person might speak. Portugal had played an important part in history, a part which was well known and which proved that his country had always taken a lead in the struggle for the good of humanity.

In the East and in China, throughout the whole world, Portugal had done her duty, and all other countries had benefited thereby. Those acquainted with history would bear witness to that fact.

As in the past, in the matter of this problem now before the Conference—which might, it was true, be regarded from different points of view by scientists, political economists, moralists and philanthropists—Portugal was open to no reproach. The Chinese population living in the small Portuguese colony of Macao had retained the habit of smoking opium, in which Chinese everywhere indulged. In order to seek the best method of inducing the Chinese to give up this vice, it was necessary, first of all, to observe the engagements already contracted and then ascertain the practical results of the measures taken with that end in view.

To state that it would be possible to succeed in suppressing the habit by suppressing opium without taking into account the special geographical and other conditions of each country—that is to say, contrary to the wise precedent established by the Hague Convention of 1912—was to indulge in pure theory. The Portuguese authorities had considered that the best method of suppressing the evil was to observe the engagements contracted at the Hague Conference, in order to obtain a gradual reduction of the production of opium and also, as far as possible, for each consuming country to devote the revenue obtained from opium to popular educational measures calculated to combat this dangerous vice. And that was exactly what the Portuguese were doing.

The employment outside their colonies of legally exported opium was a matter which was no longer within their competence and to which their responsibility did not extend. The Portuguese authorities could not, therefore, in any way be blamed for the state of affairs at Macao; the Portuguese were strictly observing the law and were devoting a very large part of the revenue obtained from opium to works of social utility, to improving the sanitary conditions of the Chinese population, whose quarters in Macao were incomparably better than those in any other Eastern town, to philanthropic establishments, etc. Could they utilise these revenues to any better purpose? If it could be shown that a better method existed anywhere else, they would lose no time in studying it on the spot.

He would express profound respect for the manner in which other nations, in order to accomplish their task, were putting into practice the provisions of the Hague Convention. Obviously, opinions might differ, but Portugal was justified in pointing with pride to all that she had done in Macao for the welfare and health of the Chinese population.

He now desired, before any further discussion, to give certain information which would form the subject of a special report and which in itself would provide a more satisfactory answer than anything he might say to the questions raised. Until 1910, trade in opium had been free in Macao as elsewhere. It was through that port, the only open port until 1845, that the whole commerce of the world with China passed. That circumstance should not be forgotten, because it had led to serious consequences from which the colony was suffering. The number of chests imported at that time was very large. The only merchants engaged in the trade were Chinese subjects, as was still the case to-day. From 1910 to 1912, the average number of chests imported was 1,850. From 1913 to 1921, the imports fell to 500 chests. That decrease was due to the Anglo-Portuguese Convention of 1913. In 1922-23, Macao imported 360 chests, and the latest statistics showed the number of chests imported as 300.

These figures spoke for themselves and proved that Portugal was applying the provisions of the Hague Convention.

Was it desired that they should reduce these imports still further? As the President so justly remarked at the last meeting, care should be taken not to transform a source of legitimate revenue, which could be supervised and utilised for good purposes, into a source of revenue which would flow solely into the pockets of the smugglers.

Mr. CAMPBELL (India) said that, before replying to the specific question which M. Sze had put to the Indian delegation, he desired to congratulate him on the skill with which he had conducted his case. M. Sze fully appreciated the military maxim that the best form of defence was attack. It seemed to him that M. Sze had with great ability removed the discussion from its proper sphere. Personally, he was much more interested in the 15,000 tons of opium produced in China than he was in the comparatively minor points which M. Sze had raised, and he hoped that others more able than himself would succeed in bringing back the discussion to its practical field—the only field in which the Conference could hope to obtain results.

M. Sze had put various categorical questions to the Indian delegation. He would give him equally categorical answers.

As regarded the first question, which was that of the production in Central India and Rajputana, he had in his possession at the disposal of M. Sze a complete statement, State by State, from 1919-20 to 1923-24, for both the Central Indian and the Rajputana agencies. He should explain that these native States were not under the administrative control of the Government of India, nor was that Government in general entitled, either by prescriptive rights or by treaty rights, to interfere in the internal administration of these States. It had, however, done a good deal in the way of advice and guidance, and he was glad to say that the Native States had responded admirably.

In Central India and Rajputana from the year 1919-20 to the year 1923-24, the total average annual production of opium containing 30% of moisture was 13,225 maunds.

The second question related to the Shan States. If M. Sze referred to the report of the Government of India to the League for the year 1923, he would find the Shan States Opium Order 1923, which controlled the cultivation of the poppy, the manufacture of opium, the possession of opium, the transport of opium, the import of opium, the export of opium, the purchase of opium and the sale of opium. The Secretariat doubtless had copies of this Order.

M. Sze had also asked what the production was in the Shan States. It was 40 maunds or, say, 1,500 kilos, and he was sure M. Sze would be glad to have, for purposes of comparison, the production in China, which was estimated at 16,000,000 kilos.

M. Sze wished for information regarding the possibility of opium being smuggled from the Native States of India into China, either direct or through Afghanistan. He could give M. Sze the most complete assurance that no opium from any Native State in India was finding its way into China, either direct, or through Afghanistan, or by any other route.

M. CLINCHANT (France) said that the representative of the Chinese Republic had raised two questions in regard to French Indo-China. He wished to reply to both of them.

M. Sze had said that the Government of Yunnan-Fou had used a French Indo-China railway in order to despatch a consignment of opium. These facts had been known for a long time and the representative of France on the Advisory Committee had given the necessary explanations, which were to be found in the Minutes of the proceedings of that Committee. It was true that the Government of Yunnan-Fou had used the railway to despatch a consignment of opium, but the moment that the French Government has been informed of this fact it had decided no longer to permit such use. It had given the strictest instructions in this regard and had taken all the necessary measures to ensure that those instructions would be carried out. He quoted an extract from the reply which M. Poincaré had made on the question to the British Chargé d'Affaires on June 22nd, 1923:

“I immediately ordered an enquiry into the accuracy of the facts pointed out, and had the less trouble in doing so in that the transaction was an open one. The transit of the consignment in question had taken place with the full assent of the French Administration. It was owing to the insistence officially of the authorities of Yunnan that the Governor of Indo-China had considered it right to authorise, as an exceptional measure, the transport, via Tonkin, of a consignment of Yunnanese opium, of which the destination was another southern province of China. The despatch of this consignment was not a case of transit properly so-called, and

the authorisation granted was justified by the facts presented to the Governor-General of Indo-China. I have nevertheless given instructions that it shall not occur again."

The delegate of China had then stated that, if bands of smugglers were establishing themselves on the Tonkin frontier, this would be a proof that French governmental administration in Indo-China was incompetent. M. Clinchant could not allow such an assertion to be made by any representative of a foreign Government in his presence, even if it only dealt with a supposition; and still further, he could not allow the delegate of a Government, the authority of which was purely nominal over the greater part of its provinces, to make such a statement.

M. Clinchant had said, in his statement at the beginning of the meeting, that the principal means employed to restrict the use of opium in a country which was a non-producing country were either to reduce the quantities of opium placed at the disposal of smokers or to increase the price. He had added that this increase in price, as well as the restriction of the quantities of opium sold in the retail shops, had had to be limited, since it had resulted in a recrudescence of smuggling, and that organised armed bands were raiding villages and carrying on traffic in women. It was obvious that these bands collected on Chinese territory, where they found the opium which they used to transport to and sell in Indo-China. Piracy had existed before the arrival of the French at Tonkin and the French authorities had suppressed it. It would undoubtedly take the same measures against any bands of robbers if they entered Indo-China.

M. Clinchant thought that this was a curious way of distorting facts of the part of the delegate of a country which was producing annually 15,000 tons of opium, and of which one of the provinces, Yunnan, which bordered on French Indo-China, possessed poppy-fields over four-tenths of its cultivated land, while in Indo-China the cultivation of the poppy was prohibited.

M. SZE (China) did not for various reasons propose to reply at length to the observations of the Portuguese, French and Indian delegates with reference to the few general remarks that he had made. First, he desired to see the work of the Conference progress and an agreement reached which would be acceptable to all, and which would provide for the eventual suppression of opium for smoking within a definite period of time. He would deal later with some of the points raised.

With reference to the remarks made by the Portuguese delegate, M. Sze quite agreed with him and was also content to leave the judgment to history. He thought that history knew it. A great deal had been written on the subject, and he did not propose to argue with the Portuguese delegate any further as to what had happened. A great deal had already been said on the matter in the Advisory Committee, and he had also heard (but not officially, because China was not represented there) that it had been discussed at the Preparatory Committee.

With regard to the remarks of Mr. Campbell, he did not think it was fair for Mr. Campbell to assume that, because he had asked a question for information, it necessarily meant an attack. If Mr. Campbell drew that conclusion, M. Sze desired to remind him that other delegations on previous occasions had also asked for information. If such a reproach were made, he must say that he had not asked for information for purposes of attack. Information was necessary in order that the Conference might have certain bases on which to reach an enlightened conclusion. Without information, how could this be done? The Conference would be building on an insufficient foundation. He would not argue on this question further, because the facts were too well known. He wished to thank Mr. Campbell for the publications he had sent him and to assure him that he would study them very carefully.

With regard to the question of the Chinese alleged production of 15,000 tons, he had purposely avoided referring to the debate which had taken place the day before between M. Chu and Mr. Campbell. He did not desire to raise any disagreeable matters, and in order to avoid doing so he would not refer further to this question at the moment, though he would furnish an explanation later.

With reference to the remarks of the French delegate, M. Sze had merely wanted to know the facts. He thanked the French delegate for having been good enough to read to the Conference the note which the French Government had seen fit to send to the British Chargé d'Affaires. From the fact that correspondence had been exchanged between the British and French Governments, it followed that the matter was of sufficient importance to merit attention. He was glad to know that the French Government did not intend to permit in future illicit opium from Yunnan to have free passage through Indo-China.

In China it was desired to stop the opium traffic, but great difficulties had been encountered. He did not hide that fact. China wanted others to help to stop it and not to make it easier for those citizens in China who were violating the laws. Not only did China not wish to countenance it but she did not wish other Powers to facilitate it.

While he agreed with the Japanese delegate that the situation in China would react on the territories of the European Powers in Asia, it must not be forgotten that the situation in the colonies of the European Powers also reacted on the situation in China.

Mr. CAMPBELL (India), in order to prevent any possible misunderstanding, said that, when referring to the attacks made by the Chinese delegate, he was not alluding to his demand for information from India.

Sir Malcolm DELEIVINGNE (British Empire) recalled the fact that the President had raised the question of the examination of those matters to which he (Sir Malcolm Delevingne) had called attention the day before, and had suggested that it might be desirable to appoint a Committee to carry out that examination. He entirely agreed with that suggestion. Some preliminary examination was required and speedily required. The President's suggestion was the best. It was very difficult to carry out that sort of work in a large Conference; what was wanted was a small Committee composed of a few people who would do the work and take into consultation the representatives of the other Powers interested.

No opinion had been expressed regarding the President's suggestion, but, if it would be generally acceptable, he would propose that a Committee be appointed consisting of representatives of the four Powers in whose territory this problem arose on the largest scale—*i.e.* France, British Empire, the Netherlands, and Japan—to examine the points to which he had called attention and to present a report to the Conference for its consideration at the earliest possible moment.

If in examining these points any matter arose which concerned any Power not represented on the Committee, such as Portugal, the Committee would invite the delegate of that Power to collaborate with it.

M. CLINCHANT (France) seconded the proposal made by Sir Malcolm Delevingne.

M. SZE (China) desired to know, before expressing an opinion, the points to be discussed by this Committee and how comprehensive its work was going to be.

Sir Malcolm DELEIVINGNE (British Empire) said that if there was no general disagreement in the Conference the Committee could be appointed at once and immediately begin its work.

M. FERREIRA (Portugal) supported the proposal of the British delegate.

Mr. CAMPBELL (India) also accepted it.

M. SZE (China) was not in a position to favour the appointment of a small Committee, but if one was to be appointed he would like to ask that China be represented on it, because the trend of the discussion had thus far involved China. He would like to be a member of the Committee, moreover, so that if anything came up about China he would be able to state his views and so save the time of the Conference when the report was submitted to it.

The PRESIDENT pointed out to M. Sze that the questions to be discussed by the Committee would bear on the actual rate of consumption and the great divergences between those rates of consumption in the different countries; the examination of the system of control; the laws and administrations of the various countries; the considerable difference of opinion regarding systems of registration; smuggling and the sources from which it came. There was, therefore, no reason for China to be represented on the Committee, for she was not concerned with these questions.

M. CLINCHANT (France) agreed.

Sir Malcolm DELEIVINGNE (British Empire) pointed out that if any question should arise in the course of the examination which touched China or the smuggling from China, the Chinese delegate would be invited to consult with the Committee on that point.

M. SZE (China) thanked Sir Malcolm Delevingne for the kind assurance which he had given. At previous conferences, however, it had been found that it was not always satisfactory to be called upon when certain questions were dealt with which concerned a particular delegation, because, in order that a delegate who was invited to attend might be able to take an intelligent part in the debate, it was necessary for him to know what had happened beforehand. He therefore moved an amendment to Sir Malcolm Delevingne's proposal to the effect that China be represented on the Committee.

Mr. CAMPBELL (India) moved that the debate be closed.

The debate was closed.

The resolution before the Conference read as follows :

“That a Committee consisting of delegates of the countries in which the problem arises on the largest scale—namely, France, British Empire, the Netherlands and Japan—be appointed to examine the matter mentioned by the British delegate at the meeting of November 5th and report to the Conference at the earliest possible moment”.

The amendment put forward by the Chinese delegate was read as follows :

“That to the resolution proposed by Sir Malcolm Delevingne shall be added the words ‘China shall be represented on the Committee’.”

A roll call vote was then taken on the Chinese amendment.

In favour, China.
Against, British Empire, France, India, the Netherlands, Portugal.
Abstentions, Japan, Siam.

The amendment was rejected.

A roll call vote was then taken on the British proposal.

In favour, British Empire, France, India, the Netherlands, Portugal.
Against, China.
Abstentions, Japan, Siam.

The proposal was adopted.

EIGHTH MEETING

Held at Geneva on Thursday, November 6th, 1924, at 3.30 p.m.

President : M. van WETTUM (Netherlands).

14. Consideration of the Present Situation in China with regard to the Production of Opium and its Effects on the Control of the Use of Opium in the Neighbouring Territories: Item III (a) of the Agenda (*continuation of the discussion*).

Sir Malcolm DELEIVINGNE (British Empire) made the following statement :

As I listened yesterday to the speech of the Chinese delegate I shared with Mr. Campbell a feeling of disappointment. After a careful reading of that speech in print that feeling of disappointment has been deepened. I had hoped that after the discussions which took place this year at the session of the Opium Advisory Committee and of the Assembly the Chinese delegation would have come to this Conference prepared to deal in a serious and a practical manner with the problem created in the Far East by the recrudescence of poppy cultivation in China.

Let me briefly remind the Conference of the history of the matter so far as the League of Nations is concerned. At its first session in 1921 the Advisory Committee found itself confronted with this problem, which was already a menacing one. The Committee made a proposal, on the advice of Sir John Jordan, which it hoped might be of some assistance to China in mitigating, if not in remedying, the situation as it existed then. That proposal, however, was blocked by the Chinese representative on the Council of the League.

The question came up again in 1922. The Advisory Committee made a different suggestion, which it hoped might be more acceptable to the Chinese Government, to the effect that the League of Nations should be associated with the Chinese Government in a thorough examination of the position in China. That also was rejected by the Chinese representative.

By way of compromise, it was agreed, and the Chinese Government undertook, that special investigation should be made with the assistance of representatives of non-official bodies in China. Let me quote from the report of the Advisory Committee of that year: The proposal was that the Chinese Government should be asked to make thorough enquiries as regards the cultivation of the poppy in China so as to be able to supply the League with a more reliable report than had been forthcoming that year. (That was in 1922). Secondly, that the Chinese Government should be asked to include in the Commission of Investigation representatives of organisations such as Chambers of Commerce and educational associations. Thirdly, that the Chinese Government should be asked to associate with the Commission of Investigation a representative of the International Anti-Opium Association in Peking and to authorise its representative to transmit through the medium of the Chinese Government a report to the League in addition to the general report of the Commission of Investigation.

I need not go into details of what happened subsequently, but that undertaking which was given by the Chinese Government in 1922 has most regrettably not been carried out.

During the session of the Opium Advisory Committee this year and during the fifth Assembly the matter was again discussed, and the conclusions which the Advisory Committee and the Assembly reached were, to say the least, remarkable. The Committee reported that it regretted to state that after a lapse of two years it was only in possession of the reports of some of the High Commissioners on the investigation into the poppy cultivation in the

Chinese provinces and that those reports were not satisfactory, even in the opinion of the Chinese Government itself. Then it stated: "The Committee has no information as to whether the Chinese Commissioners were accompanied by representatives of independent organisations as above mentioned, but it is inclined to think that such was not the case".

The fifth Assembly unanimously adopted a resolution in which this sentence occurs: "The Assembly records its sense of the unsatisfactory character of the official investigations which have been made and of the official reports which have been furnished to the League".

What is the position to-day? This Conference has been summoned to consider the whole Far Eastern problem and, as a vital part of that problem, "to consider the present situation in China with regard to the production of opium and its effects on the control and use of opium in the neighbouring territories and the measures which might be suggested to the Government of the Chinese Republic for bringing about a suppression of the illegal production and use of opium in China".

China requested to be admitted to this Conference, and that request was granted in the first instance by the Advisory Committee, and later by the Council and the Assembly of the League, on condition that the Chinese question, in accordance with the terms which I have just quoted, should be discussed.

The second part of our agenda is, as I said, as vital a part of this problem as the first part. We waited with interest to hear what the views and the proposals of the Chinese delegation in this matter would be. I think we had reason to hope, after the admissions made during the session of the Opium Advisory Committee this year and again at the fifth Assembly, that the Chinese Government was prepared to recognise the real facts of the situation.

But as I listened to the speech of the Chinese delegate yesterday I seemed to be hearing again exactly the same kind of speech, on exactly the same lines, as the speeches we have heard any time these last three years on the same subject in the meetings at Geneva. I fail to find in that speech any recognition of the real situation in China. I fail to find any recognition of the fact, on which Mr. Campbell most rightly insisted yesterday, that the present production of opium in China is the dominant factor in the Far Eastern situation to-day, and I fail to find any constructive proposals whatever. I am afraid that the attitude of the Chinese delegation at this Conference in this matter is the same as the attitude of the Chinese Government during the last three years.

Referring to the present situation in China, all that the Chinese delegate has to say is that "due to temporary disturbed political conditions within her own borders, there has been to a certain extent a recrudescence of the cultivation of the poppy and of the production and use of prepared opium. This fact no doubt complicates and renders somewhat more difficult the solution of the problem with which this Conference is concerned".

This does not seem to me an adequate recognition of the fact that, whatever the exact figure may be, China is producing the vast bulk of the opium which is in the world to-day.

Now I have no wish to minimise the enormous difficulties with which the Administration at Peking has been confronted in this matter, and I am sure that the distractions of China during the last year or so must evoke the sympathy of everyone who is interested in Chinese affairs. What has been the attitude—the official attitude I will call it—of China in this matter? In 1922 the Chinese Government sent to the League a report on the situation in China with regard to the cultivation of the poppy, in which this remarkable sentence occurred: "At the present time it can be stated with certainty that the cultivation of the poppy plant in China has completely ceased". That sentence needs no comment from me.

I referred just now to the fact that the investigations which the Chinese Government in 1922 undertook to carry out have not been made. Those investigations, we were all aware, must be extremely difficult in many provinces and impossible in some. But even within the area which is under the control and influence of the Central Provinces, what was done and what has been done to suppress the cultivation of the poppy?

I read an extract from the report of the Anti-Opium Association in Peking published this year on the opium cultivation and traffic in China. The report says: "There is no opium grown in the Metropolitan Provinces, and from outward appearance the big cities do not openly parade their opium traffic. In Peking, Tientsin and Paotingfu, opium can be bought quite easily, and its use is extensive, but considerably less than in the old days. Opium is cheap; therefore its use is not confined to the wealthy classes.... The opium used is mostly Chinese, which finds its way into this province from every opium-growing province in China".

I quote an extract from a report forwarded to the British Government by the British Legation at Peking on June 30th of this year:

"While the greater portion of the opium produced comes from provinces not permanently under the Central Government control, yet much is grown in Chihli, Honan, Shensi, Kansu, Anhui and Hupel. Further reliable evidence as recently as May of this year has been received concerning the growing of the opium poppy in the Jehol district of Chihli, about 120 miles from Peking. It should be noted, with regard to this district, that the local governor has reported to the Chinese Foreign Office that everything had been done totally to suppress opium in the Jehol district both last year and this. Opium, however, is being sown round all the towns and villages on the best irrigable land, and, wherever this is not suitable,

wells have been dug and the streams diverted so as to irrigate it, and opium has been planted. The area under cultivation with this crop has only been restricted by the possibility of there not being enough labour to harvest it. It should be further noted with regard to the Jehol district that no official cognisance was taken of the cultivation of the poppy until after the spring sowing" — and so on.

I think that this statement is a most eloquent commentary on the attitude of the Chinese authorities with regard to this problem, relating, as it does, to districts within the jurisdiction, influence and control of the Central Chinese Administration.

As I read the speech of the Chinese delegate yesterday, I felt that the above attitude was his attitude, and it seemed to me to be most profoundly disappointing. The Chinese delegate asks us to accept an assurance that, as soon as a stable government is established in China, the suppression of opium production and use will be one of its first tasks. One is bound to ask oneself the question: "What grounds have we for accepting such an assurance?" Wherever we look in China we find the same thing. Take Manchuria. I make no comment, of course, on the present political situation in China. Manchuria is the seat of government of the general who appears at the present moment to be successful in the civil war which is now raging. According to the report of the Anti-Opium Association regarding Manchuria, the poppy was growing in August 1923 on not less than 100,000 mou of land along the sides of the Chinese Eastern Railway in the province of Kirin—and so on; I need not quote the whole statement. The last paragraph of the report on this province opens as follows: "It is almost impossible to accept the Chinese Press reports concerning the extensive use of opium and narcotics in these three Eastern provinces; they are so appalling".

Secondly, I fail to find in the speech of the Chinese delegate any recognition of the fact that this enormous production of opium in China is the dominant factor in the Far East. The Chinese delegate said in his speech yesterday that there is no certain evidence that Chinese-produced opium finds its way outside the borders of China to a very great extent. I should like to give him some facts.

In the colony of Hong-Kong during 1923, 46,508 taels of Chinese opium were seized by the Customs officers, and it may be taken as a rough estimate that the seizures are about one-tenth of the total amount that is smuggled.

Here is an extract from the report of the Superintendent of Customs in Hong-Kong, issued by the Hong-Kong Government:

"The illicit opium used in opium divans was mostly composed of Chinese raw opium boiled in the colony. In four cases large quantities of Chinese documents relating to opium-smuggling were seized. The work of examining and interpreting the mass of documents was extremely heavy, but the result was well worth the time spent, as valuable details were obtained of the extent and methods of opium-smuggling, and some powerful and wealthy syndicates of smugglers were dispersed and their connections in the colony indicated. The amount of Chinese raw opium mentioned in the documents examined amounted to over 600,000 taels smuggled into the colony in a period of twelve months. To double this figure to account for those smugglers not discovered would give a fairly conservative estimate of the amount of opium, mostly of Chinese origin, which is successfully introduced into the colony during twelve months."

I have here a report in great detail from the Superintendent of the Hong-Kong Customs service on an investigation which he made into the affairs of one of these syndicates. (See Annex 7.) It is far too long for me to read or even quote from, but it is extremely interesting, and if the Conference would like to see it I should be happy to hand it to the Secretariat to reproduce and distribute. So much for Hong-Kong.

It may be said that the position of Hong-Kong is peculiar, and that what applies to Hong-Kong does not necessarily apply elsewhere. Let me give some facts about the smuggling of Chinese opium into Malaya.

The Malayan Government informs me that, whereas prior to 1921 it was exceedingly rare to have opium seized on steamers from China, the seizures on steamers for the years 1921, 1922, 1923 and the first eight months of 1924 were as follows: In 1921 there were 14 seizures on steamers from Europe, 9 on steamers from India, and 43 on steamers from China. In 1922 there were 23 seizures on steamers from Europe, 18 on steamers from India, and 2 on steamers from China. In 1923 there were 21 seizures on steamers from Europe, 15 on steamers from India and 229 on steamers from China, and during the first eight months of 1924 there were 7 seizures on steamers from Europe, 8 on steamers from India and 345 on steamers from China. The Government authority of the colony states that the seizures on steamers from China consist of Chinese raw opium or prepared opium.

Only a few weeks ago, before this Conference met, confidential information of an enormous Chinese smuggling operation was received by the colonial Government, which led indirectly to two large seizures of prepared opium on steamers arriving from China, and the information was to the effect that one Chinese syndicate alone was importing raw opium from China at the rate of 567 kilogrammes a month, or 6,804 kilogrammes a year.

After all, it is a point that hardly needs elaborating. We have heard from the delegate of France this morning of the conditions in Indo-China. It stands to reason that when enormous quantities of opium are being produced in China and are being sold at an extremely low price, the drug will be smuggled out to places where a much higher price can be obtained.

Now let me refer to one more point in the speech of the Chinese delegate, and then I have done.

It is a point we have heard before but which has never been explained. It occurs in the first paragraph of his speech. He said: "Beyond other nations, China has suffered and still is suffering from the acts of individuals over whom she has not had and does not have effective control, by reason of the obligation that has been imposed upon her to concede extra-territorial rights to the nationals of certain of the Powers with which she has treaty relations".

I am not quite clear as to the bearing which that remark was intended to have upon this item of our agenda, but if it was intended to suggest, as I believe M. Chu suggested at the meeting of the Assembly, that China was unable to deal effectively with the problem of the production of opium in China because of the extra-territorial rights enjoyed by the nationals of foreign Powers, I am quite unable to understand how that position can be maintained. The extra-territorial rights of the Powers are no new thing. China, we are always glad to recognise, at the time when she was making an attempt to suppress the production of opium in China, succeeded very largely, if not entirely, in doing so notwithstanding the existence of the extra-territorial rights of the nationals of certain Powers. One asks oneself what have the extra-territorial rights of Powers to do with the problem of the production of opium in China, or the use of opium in China?

The military governors of provinces who encourage, or rather force at the point of the bayonet, the peasants to produce opium are not affected one way or another by the existence of extra-territorial rights of the subjects of foreign Powers. The enormous traffic in this drug which is carried on, not merely with the connivance but actually on behalf of the provincial governors, has nothing whatever to do with the extra-territorial rights of the Powers. I can hardly believe that the Chinese delegate really meant to suggest that the extra-territorial rights of the Powers had anything whatever to do with the problem which this Conference has been called to consider in the second part of its programme.

I have no more to say except this: to express the hope that the speech which we heard yesterday is not the last word of the Chinese delegation. I hope that the further instructions which he told us he had asked for from his Government will put a different aspect on the matter; but if his speech represents his last word and the only statement that he has to make to this Conference, I can only say that it renders this Conference, as far as the second part of the programme is concerned, absolutely futile.

M. SZE (China) said he had listened with the greatest interest to the eloquent statement made by the head of the British delegation. He asked that it should be distributed, together with any supplementary information connected with it. He would then reply both to the remarks made by Mr. Campbell and to those which other delegates might make regarding the statement which the Chinese delegate had read the day before.

The PRESIDENT, in view of the point now reached in the discussion, proposed to adjourn the Conference until the following day.

Agreed.

NINTH MEETING

Held at Geneva on Friday, November 7th, 1924, at 3.30 p.m.

President : V. van WETTUM (Netherlands).

15. Consideration of the Present Situation in China with regard to the Production of Opium and its Effects on the Control of the Use of Opium in the Neighbouring Territories : Item III (a) of the Agenda (*continuation of the discussion*).

M. FERREIRA (Portugal) made the following statement :

My reason for speaking is that I desire to add to the statements which have been made here by my colleague, Dr. Rodrigues, on the basis of his experience, certain information which I have collected since the Hague Conference met in 1911 in order to forge the arm which we now possess for the struggle against opium.

My country's attitude has been perfectly clear from the beginning. We were inspired and guided by a single idea: that of co-operating loyally and effectively in the campaign against opium. I believe that I was the first at The Hague in 1911 to express disapproval of the composition of the Conference. What was my reason for doing so ? Thirteen countries had been invited, namely, the very countries which were interested in the opium traffic. In a humanitarian question of such great importance attention had been paid, and wrongly paid in my opinion, to material interests alone, and not to the general interest. We were the producers, exporters, importers and manufacturers, but if we had ceased to be such, other countries might have taken our place, for, from the point of view of material interests, the stakes were worth while. The countries which were not invited to the Hague Conference were not producers, but might have become consumers. In fact, they were, no doubt, consumers. They ought, therefore, to have been invited to the Conference, since they would have been able to suggest means of combating a scourge which was likely to become a great danger to them, and which even at that moment constituted a serious menace.

I have shown, I hope, that the Hague Conference ought to have been a universal one. It was one of the conditions of its success. My colleague, the French delegate, has done me the honour to support my point of view. If the Hague Conference had been universal, useful and practical results would have been achieved with little difficulty.

By inviting to the Conference those who had no material interest in the traffic in drugs, we should easily have induced them to abandon a branch of trade which was, so to speak, non-existent in their countries and which, at most, might possibly be for them problematical. Moreover, we should have obtained entirely disinterested collaboration, and the opium question might have been dealt with more from a humanitarian point of view and in a broadly altruistic spirit. The situation created by the incomplete nature of the Hague Conference was, to a certain extent, rectified by the efforts of the Netherlands Government and, at a later date, by the efforts of the League. Both have invited the countries which did not take part in the Hague Conference to sign the instrument drawn up at the Hague in 1911 and 1912. That, however, was only a palliative. How far more effective would propaganda against opium be if it were undertaken by all the nations of the world !

What is the present situation. It is this : Three Hague Conferences ; five Assemblies of the League of Nations ; six sessions of the Advisory Committee ; reports ; meetings of the Council ; resolutions ; recommendations ; proposals. As you see, there has been a great deal of activity !

The picture which I have drawn is a brilliant one, but are the results brilliant ? I doubt it.

At the time of the first Hague Conference thirteen nations interested in the opium problem were making serious efforts to combat the scourge. At that time, as a result of my intervention, there was reason to hope that the countries which had not been asked to attend the Conference would give their co operation. Let us compare the situation I have just described with the situation to-day.

Formerly, we were able to hope for the universal co-operation of which I have just spoken ; but now, although we have obtained the signatures of a large number of States, we do not see among us some of those without whose collaboration our effort may be, if not wholly wasted, at least rendered to a certain extent abortive.

The situation therefore seems to me to be worse now than it was fourteen years ago.

The best thing to be done in my opinion is to get all the producing countries to collaborate with us. As long as they hold back, all hope will be vain and every effort useless.

There is another thing to remember. The countries which met at The Hague in 1911 and 1912 went there in order to help China to free herself from the opium scourge. Nothing could have been better. As regards ourselves we have been slaves to our engagements. Unrestricted trade we replaced by restricted trade and a policy of gradual reduction. After the Hague Conference we were able at one particular moment to note a most encouraging, though ephemeral, result. I refer to the case of China. I heard Sir John Jordan say at the

Advisory Committee that China had adopted such restrictive measures that the cultivation of the poppy had almost ceased in that country in 1917. These results could not fail to give satisfaction to the countries which had undertaken to help China. They were able to realise that it was worth while continuing sacrifices to help a country which could win such a victory of self-control.

But what is the position to-day ?

I do not wish to add anything to what has been said with regard to the cultivation of the poppy in China or even to dwell unduly on the statements which we have heard here. At the same time, the figures which were given to us the day before yesterday with regard to the intensiveness of cultivation are so impressive that I now understand a fact which to me had remained inexplicable—a fact which was related here by my colleague Dr. Rodrigues—with regard to seizures effected in Macao of boxes of opium bearing the label “Macao opium”, although it was not produced in our colony.

This tends to prove that foreign opium is finding its way into our colony and leads me to fear that it is penetrating into other districts under the Macao label, a fact for which we may wrongly be held responsible.

This is not all. We have noticed that simultaneously with the measures taken to combat the opium traffic there was a development in the use of narcotics. Far be it from me to adopt a fallacious argument. Because one fact has succeeded another, I do not conclude that it is the result of it. But at the same time I have heard the statement of certain qualified persons who have said that these two facts were not independent of each other. The situation, it is suggested, is as follows: while the consumption of opium is diminishing owing to the enforcement by certain countries, who had undertaken to help China, of regulations regarding the limitation of the cultivation of the poppy, this cultivation is increasing in China, concurrently with the increase in the use of narcotics in other countries. But whereas the extension of the use of opium is limited and only contaminates a few ports on the maritime frontiers of the Western countries, morphine and cocaine are spreading everywhere in these countries in the most alarming manner.

In my opinion it is necessary to consider whether there really exists a connecting link between the reduction in the use of opium and the increase in the use of alkaloid narcotics. If this were so, I consider it would be necessary before all else to control the use of the most noxious drug and suppress it without mercy.

For our part, we lay stress on the following fact, which is based upon the statements made to us here. We have no wish to compromise the success of our programme by an observance of rigid principles which could not be similarly applied in all cases, irrespective of particular conditions in the different countries. To put the brake on too quickly would only mean a rapid development of illicit traffic. The Hague Convention imposes upon us gradual reductions and, although it is our firm intention to continue to conform to this programme of restriction, we reserve the right to regulate the speed. We should even be prepared to accept a time-limit within which the opium traffic shall be suppressed. But as regards the carrying out of our engagements we shall take into account the attitude of our neighbours. There would be no use in making sacrifices in order to help a country which was not making the necessary efforts to suppress the opium traffic in its own territory and which therefore might become a danger to other countries.

I would like to add a word regarding our consumption, which is considered by some to be excessive. I have already replied to this charge. The conditions of life in Macao are not the same as elsewhere, and measures to be applied in Macao must take into account its peculiar situation, which is different from that of any other European colony in China. The population of Macao is about 100,000, but in addition to this permanent population there is a considerable floating population.

This floating element comes to Macao on business and there consumes opium. There is nothing exceptional in that. It occurs all over the East, wherever there is a Chinese population. It may of course be replied that this floating population comes to Macao especially for the purpose of smoking opium. This might be true if there were no smoking in China, but that, I think, is hardly the case.

In spite of the special circumstances of Macao, namely, its geographical situation, the customs of its inhabitants and other factors (for example, its budget), which must not be overlooked, it must be borne in mind that even if Macao were to disappear from the face of the earth in consequence of a cataclysm, the opium traffic would be reduced in theory by a negligible amount in proportion to the world traffic in this drug. In this respect Macao is, as it were, a grain of sand, a small fish beside a whale, as was said to me by an expert authority on the question at present under discussion. It might happen in practice that even this small reduction was not effected and that illicit traffic showed a large increase in consequence of the removal of our control.

The measures that we are faithfully applying aim at creating a stable position from which it shall be hard to withdraw. It could only be upset by action independent from our own.

As a conclusion to what I have had the honour of explaining to you, I will only repeat that it is our intention to fulfil the obligations we have incurred in virtue of the Hague

Convention as long as our efforts are met with a spirit of justice which will be able to appreciate them and as long as we can note on the part of our neighbour a healthy reaction.

M. SZE (China) said that he was, as he always had been, anxious and eager to see the work of this Conference reach an early and successful conclusion, with results which were compatible with the high aims of the League, under whose auspices the Conference was being held — with results acceptable to all, fulfilling the aim of all, results which would lead to the effective suppression of the use of opium at an early and definite date, in order to put an end to the harmful effects from which humanity was at present suffering. This being the object which M. Sze had in view, he did not propose to take up a great deal of time at the present meeting. Upon receipt last night of the Minutes of yesterday's meeting, he had lost no time in studying them in order that he might make an early reply to those questions that required immediate attention. He would dwell to-day, therefore, upon some aspects of the statement made by the British delegate on the previous day.

If his statement of last Wednesday was criticised upon the ground that it contained no constructive suggestions, he was constrained to say that he found still less in the way of constructive suggestions in the statement to which he was referring.

With reference to the statement of the British delegate, he would deal with two or three of its aspects which required immediate attention and would leave the other points to be taken up on future appropriate occasions.

Sir Malcolm Delevingne had asked him the following question: "What grounds has the Conference for accepting the assurance given by the Chinese delegate that as soon as a stable Government was established in China the suppression of the cultivation of opium and its use would be one of the first tasks of that Government"?

The same question had been asked at the Conference held at Shanghai in 1909 and again at the Hague Conference in 1912. The record of the Chinese Government from 1907 to 1917 was the best evidence that such apprehensions need not be entertained. Furthermore, one should look at the province of Shansi, with a population of over 11,000,000 and an area of over 81,000 square miles. What had been accomplished in such an important province under such unfavourable conditions could certainly be repeated in other provinces when the general conditions in China became better.

Moreover, when the Chinese Government found itself in a better position to enforce its will, it would be supported by a public opinion which was much stronger and more enlightened than that of the period from 1907 to 1917. As M. Sze had stated on Wednesday, the progress of popular education was rapid, as also was that of the sciences of medicine, hygiene, etc. Evidence of the widespread and growing opposition of public opinion to the cultivation of the poppy was abundant; some of that evidence was, he understood, in the possession of the Secretariat.

Sir Malcolm Delevingne had enquired as to the relationship between the question of extra-territoriality and the problem now before the Conference. The statement made by the Siamese delegate had amply shown that there was a connection, and M. Sze would say that in China, as was perhaps fairly well known, the enforcement of the laws against smuggling in the consular courts was not uniform, and in some of them the penalties imposed were by no means commensurate with the gravity of the offences committed; in some cases there was even an absence of the necessary laws. To be fair, as M. Sze had always tried to be, he made no criticism against the British and American consular courts.

Sir Malcolm Delevingne had expressed the hope that M. Sze would suggest some way of solving the problem of the recrudescence of the cultivation of the poppy in China. The laws now in force in China were comprehensive and stringent; they had been tried and found to be adequate. The policy as expressed in those laws had not been altered and would never be altered. Whatever might be said against the militarists, no reproach could be justly directed against the policy of the Central Government. In the meantime, as there was good reason to expect, measures would be devised by the Conference to improve the general situation in the Far East and to regulate the use of prepared opium with a view to effective suppression. This would react favourably upon China.

M. Sze noted that Sir Malcolm Delevingne had remarked that the recrudescence of the cultivation of the poppy in China was a dominant factor in the Far Eastern situation. As M. Sze had said before, while the situation in China reacted on other territories in the Far East, there were other equally, if not more, important factors in the situation, and among these were the continued official sanction of the use of prepared opium in other Far Eastern territories and the increasing flood of illicit narcotic drugs which were poured into the Far East, and especially into China. The bearing of this last factor upon the opium situation in China had already been mentioned by M. Sze.

The need of money by the militarists had been one of the causes leading them to acquiesce in or encourage the cultivation of the poppy. A good part of this money had been used to buy arms introduced from abroad. As the situation improved, this need would decrease, and with it the temptation to cultivate the poppy.

A conference of the leaders of the different parties and the different sections in China was about to be convened in Peking with a view to discussing plans for an immediate unification. The Chinese delegation was telegraphing to the Government suggesting that the question of the suppression of the cultivation of the poppy and the use of opium should be one of the items on the agenda.

China was at present in need especially of the sympathy and good-will of the other Powers. M. Sze wished to repeat, with all the earnestness in his power, what he had said at the sixth meeting: "China then" — that was to say, in 1907 and onwards — "had the especial sympathy and aid of Great Britain, India and the United States. She now hopes for the same sympathy and co-operation not only from these States but also from the other Powers."

A little over a century ago, the great American statesman, Benjamin Franklin, while on a mission for his country in Europe, wrote in one of his famous despatches: "Injuries as well as benefits received in time of weakness and distress, both national and individual, make a deep and lasting impression".

16. Consideration of the Measures which should be taken by the Government of the Republic of China to bring about the Suppression of the Illegal Production and Use of Opium in China.

M. CAMPBELL (India) desired to suggest the following measures for the consideration of the Chinese delegation. Everyone knew the situation in China and everyone had great sympathy for the Chinese Government, which was in the grip of circumstances beyond its control. The enormous production of opium in China, however, as Sir Malcolm Delevingne had pointed out, was the dominant factor in the situation in the Far East. Was it possible, therefore, for the Government of the Chinese Republic, although it might not be able to stop cultivation in China, to take any measures which would prevent the flow of opium from China into the adjoining countries? That, in his view, was the essential thing to achieve.

Although it might be impossible to remedy the situation in China as it existed at the moment, if the Government of China could adopt reasonably effective measures to prevent opium leaving its territory, the present situation would be very considerably ameliorated and one part at least of the object of the Conference would be achieved.

M. SZE (China) said that he would answer Mr. Campbell's suggestion at a later meeting.

M. SUGIMURA (Japan) recalled the fact that M. Kaku had already informed the Conference that the Japanese delegation firmly hoped that the Conference would achieve a happy result for the good of mankind. This was ardently desired by the whole Japanese nation, and was also the wish of all nations represented at the Conference.

In regard to a question so complex and so important as that of opium, the immense territories of the Chinese Republic constituted an essential element. Though no effective international arrangement could be concluded without the participation of China, nevertheless, the Conference should not forget that the present circumstances of that country rendered such co-operation almost impossible. At the moment, the great Chinese nation was the prey of great internal difficulties. These were doubtless of a temporary nature. But until order and the authority of the Central Government had been re-established it would not be possible for China to furnish accurate information, to take effective measures, or to undertake solemnly to carry out the provisions of an international convention.

In the life of States, as in the life of individuals, a disease might occur, paralysing their normal activity. This was what had happened to China, and the disease was sapping its strength. The Conference should not ask China to achieve the impossible. Good-will and right thinking, indispensable for the proper achievement of any international work, were certainly not lacking in China. The Conference could have entire confidence in the future of the great Chinese nation. All the friends of China, though deeply regretting the present ills from which she was suffering, knew, nevertheless, that they could entirely count on the indefatigable efforts of her Government towards achieving the end in view.

The distinguished career of the Chinese delegate, M. Sze, was well known. The Conference could count on his support either as a member of the Chinese Government or as the well-known champion of public opinion when the new central democratic Government should have introduced the necessary order and authority into the country.

While awaiting this, the Conference should concentrate its efforts on drawing up an arrangement to be carried out by the territories belonging to other Powers. As the effective participation of China in the work of the Conference was of the first importance, it might be necessary to lay down as a condition of admission to any arrangement on the part of other

Powers that China should accept it as and when she could. It was, above all, important to achieve a positive and fruitful result, for the public opinion of the world desired more than a mere academic discussion or a statement of good intentions, which would throw doubts on the efficiency of the League of Nations. There was only a little time at the disposal of the Conference and the world was expecting it to do great work towards bettering the conditions of human existence.

TENTH MEETING

Held at Geneva on Thursday, November 13th, 1924, at 10.30 a.m.

President : M. van WETTUM (Netherlands)

17. Credentials of Delegates: Reference to the Committee on Credentials of the Credentials of the Dutch and Indian Delegates.

The PRESIDENT informed the Conference that he had received a letter from the Netherlands Government stating that the Netherlands Minister in Peking had telegraphed to the effect that the credentials of the three Chinese delegates to the Opium Conference had been forwarded by post.

The President himself, as representative of the Netherlands Government, had received full powers, as also had the representative of India.

He proposed that these powers should be communicated to the Committee on Credentials for examination.

This proposal was adopted.

In reply to an enquiry from the President, the delegates of France and Portugal stated that they had not as yet received full powers from their respective Governments.

M. SZE (China) explained that the credentials referred to by the Dutch Minister in Peking were the full powers which had been posted at the same time as a letter informing the delegation of the despatch of the full powers. The letter had arrived some time ago, so the full powers were expected to arrive at any moment.

18. Examination and Consideration of the Present Situation in regard to the Application, by the Powers represented, of Chapter II of the International Opium Convention of 1912 in their Far Eastern Territories and of the Difficulties which have been encountered in giving effect to Chapter II of the Convention: Report of the Committee appointed at the Seventh Meeting of the Conference.

The PRESIDENT submitted to the Conference the report of the Committee appointed at its seventh meeting to deal with Part II (a) of the agenda (Annex 9).

During the discussions in the Committee it had become evident that to review the present opium situation in the Far East and the existing measures taken in the various territories in that part of the world meant investigating the usefulness of those measures. Any result reached by the Conference would therefore necessarily amount either to a recommendation that those measures should be universally adopted or else that they should be changed. He therefore proposed that the Conference should deal at the same time with Sub-Section (a) and Sub-Section (b) of Item II of the agenda, since Sub-Section (b) referred specially to the suggestions put forward for the consideration of the Conference by the Advisory Committee in May 1923. These suggestions ought therefore to be considered at the same time as the report now before the Conference.

M. SZE (China) suggested that it would be necessary for those members of the Conference who had not been members of the Committee to hear a statement of the views of the delegations which had been represented upon that Committee as to their general position in the question. The report which had been distributed by no means expressed the unanimous opinion of the Committee; the greater part of it, indeed, merely gave the views of two delegations.

The Committee had held twice as many meetings as the Conference, and before the Conference, therefore, could discuss the report it would be necessary for further information to be put at its disposal as to what had taken place in the Committee, how the various conclusions contained in the report were reached and what were the views of the different

delegations represented on the Committee. He noticed that an exception was made of Formosa in several of the findings of fact.

M. SUGIMURA (Japan) desired to comment on the paragraphs in the report referring to the Japanese administration in Formosa.

In Formosa no smuggling existed. This was due to various causes, such as the geographical situation of the territory, the efficient police organisation and the ingenious methods of surveillance and investigation, the relatively low price of opium and, above all, the system of registration and strict rationing. Out of a population of about 3,700,000 people there were only 38,000 smokers. Further, only smokers stated by competent medical authorities to be incurable possessed the right to continue their habits of smoking. They were rationed in such a manner as to ensure that they could obtain the necessary quantity of opium for their daily use.

The price of opium was very low—only a quarter of what it was in Hong-Kong. Smokers could thus obtain what they needed, but only the exact amount, and smuggling was discouraged because it was not profitable.

The Government also closely controlled access to the territory. Whoever informed the Government officials of the existence of contraband received half the price of each seizure of contraband opium. This information came even from Chinese ports, and the work was so efficiently done that the Formosan Government was frequently advised of attempts to smuggle even before the vessels containing the contraband left China. Further, the coast of Formosa was difficult of access and possessed but few ports.

For more than twenty years past the Japanese Government had known exactly the number of smokers and the quantity of opium consumed in Formosa. The system in force was as follows :

1. The Government's authority was enforced by administrative officials and police. The work of these persons was very efficient, and conditions in the island were therefore stable and secure.

2. The Government had entire control of prepared opium and could import raw opium with a view to manufacturing it. It also controlled the manufacture and sale of prepared opium.

3. A licence to smoke was only granted to habitual smokers, and that only after a severe medical examination, conducted by a Government doctor acting under strict regulations.

4. A certificate delivered by the authorities to smokers legally recognised as such established the identity of the holder beyond doubt or question. Each legally recognised smoker could only obtain opium on the presentation of a personal ration-book. When he purchased the quantity of opium allowed for in his daily ration, the seller of the drug was required by law to note the amount so purchased in the opium ration book and this prevented any extra amount being obtained.

5. The officials of the opium monopoly were divided into two separate classes: those who manufactured opium and those who sold it. By this means any temptation to carry on exaggerated manufacture and illicit trade was avoided.

6. The sale of opium to retail dealers was carried out by the police authorities themselves, who thus had direct and strict control.

These were the fundamental principles underlying the system of State monopoly which had been in force for nearly 30 years and had been carried out with great success by the Formosan Government.

The Japanese delegation would be very happy if this account of its experiences in Formosa would prove of assistance to other Powers having the same intention as Japan to combat and destroy the opium evil.

With regard to the question of registration and rationing, the Japanese delegation was firmly convinced that the adoption of the system of the registration and the daily rationing of incurable *habitues* would result in the complete disappearance of the opium scourge. It was the only efficient method of executing faithfully the principles of gradual suppression laid down in the Hague Convention of 1912. By adopting this system the Japanese Government had reduced the number of smokers in Formosa from 210,000 to 38,000 in a little over 20 years. When the 38,000 smokers at present in Formosa died or abandoned their habits there would be no more opium smoking in that territory. Further, the strict application of these measures entirely prevented millions of persons from acquiring the habit. Smuggling became useless, because there were no more smokers. Those authorised to smoke obtained their opium cheaply from the Government. From the measures described, the Conference could realise that the day on which the island of Formosa would be entirely free from opium was at hand.

With regard to dross, M. Sugimura explained that in Formosa the only smokers were incurable *habitues* registered by the Government. The general population had no need of opium and consequently still less need of dross. As registered smokers were certain to be able to obtain the quantities necessary for their daily consumption, there was no need for them to have recourse to smoking dross. The question of dross therefore did not arise in regard to Formosa.

With regard to the question of the price of opium, the policy pursued in Formosa was based entirely on humanitarian considerations and on the necessities of public health. It was for this reason that the Japanese Government sold opium to the 38,000 smokers at a price within their means. In the experience of the Japanese Government, the high price of opium meant smuggling and illicit smoking.

In this difficult question it was, above all, necessary to have regard to the duty of curing and saving persons who had acquired the opium habit. In the opinion of the Japanese delegation the price of opium ought to be within the financial reach of the smoker. Too high a price meant the smuggling of opium and its illicit smoking. This contention was proved by facts. In Hong-Kong, for example, the price of opium was four times higher than in Formosa, and the smuggling which went on in that port was on a very large scale.

M. CLINCHANT (France) said that the report before the Conference showed as clearly as possible the nature of the discussions which had taken place in the Committee, the points on which the members had reached agreement and the points on which they were not unanimous.

He proposed that all those points which had been unanimously accepted by the Committee should be submitted to the Conference for its approval, and that the Conference should then discuss such questions as remained about which there had been a divergence of opinion. In his view this was the only means which would ensure a swift result. The French delegation had drawn up a draft agreement which followed as closely as possible the report of the Committee and which would be distributed in time for discussion at the next meeting.

Sir Malcolm DELEIVINGNE (British Empire) agreed with the Chinese delegate in thinking that those members of the Conference who had taken part in the meetings of the Committee should state their views on the different points dealt with in the Committee's report. It was desirable, however, that all members of the Conference should state their views both on the report and also on the resolution adopted by the Advisory Committee in May 1923. Such a procedure would enable the Conference to know exactly how matters stood.

He did not propose to follow the example of the Japanese delegation by giving an account of the methods of control in the British possessions, of the results obtained or of the difficulties encountered, since all this information was set out at length in the reports of the Committees appointed by the Governments of the possessions in question at the request of the Imperial Government. These reports were before the Conference, and the British delegation was ready to supplement the information they contained, if necessary. Detailed information as to the working of other existing systems had not been as fully available as could have been desired, but there was nevertheless sufficient material to enable the Conference to form a correct idea regarding their extent and scope.

The first resolution adopted by the Advisory Committee referred to the abolition of the system of farming and the establishment of complete Government monopoly—this abolition to include all private retail shops. It was recommended, in fact, that the Government should take over the whole business of the manufacture, sale, distribution, etc., of opium from start to finish. That suggestion had been accepted by the British Government, which now urged its adoption by the Conference. Steps had been taken, or were being taken, to put it into force in the British Possessions.

With regard to the suggestions in the Advisory Committee's resolution concerning rationing and registration, the enormous prevalence of smuggling in the Far East made their adoption more difficult at the present juncture. Smuggling had increased enormously during the past three years. That fact was well known to all members of the Conference. Ever since the session of the Advisory Committee in May 1923, the position had been growing rapidly worse, until, at the moment, the Far East was being flooded with illicit opium. This was a difficulty with which Far Eastern countries and European countries with possessions in that part of the world had so far been unable to cope, or so he judged from the statements made by other delegations to the Conference, with the exception of the Japanese delegation.

Not only was it a question of the smuggling of opium but also of the supply of smokers. In the case of Hong-Kong, for example, which possessed a large permanent Chinese population, there was, in addition, a very large floating population which went backwards and forwards between that colony and the mainland. In Malaya, there was a very large influx every year of immigrant Chinese. The average Chinese immigrant stayed, he thought, in that colony for only about seven years. This meant that every seven years there was a complete renewal of the Chinese immigrant population. The immigrants into Hong-Kong and to a certain extent into Malaya were already addicted to the opium habit.

There was a frank statement in the report of the Malaya Committee to the effect that in many cases, perhaps a majority, the habit was acquired by the Chinese after they entered

the colony. There was, however, a large increase in the number of smokers entering the colony in any case, and in the case of Hong-Kong the position was even worse. China, in fact, supplied in the British possessions both the demand and the supply. Immigrant Chinese entered the territories with the habit already acquired, and the Chinese illicit traffickers provided the opium to satisfy their demands in so far as it was impossible to meet them by means of the Government monopoly.

The Conference would doubtless appreciate the importance of this difficulty. As long as that illicit opium was available in such enormous quantities any system of registration or rationing must, he thought, be illusory or illusory, to a very great extent, in areas or districts where there was a large population. In isolated places or in districts where the immigrant population was small it was more possible to adopt such a system. In centres, however, like Hong-Kong or Singapore, where there was a large floating population, it was almost impossible to deal with the illicit traffic and the illicit consumption.

The view of the British delegation was that, as long as smuggling continued on such a large scale, the introduction of a system of registration and rationing would be extremely difficult. This did not mean, however, that the British Government was not anxious to do what it could to introduce such a system, and those members of the Conference who had studied the report of the Malaya Committee would have observed a very sincere and earnest endeavour made in that colony to devise methods by which it would be possible to prepare the way for the introduction of such a system. The way could be prepared by adopting, for example, the "observer system", which was the first step towards the introduction of a system of registration.

It had been maintained, especially by the Chinese delegation, that it was the duty of the authorities in these countries to suppress the opium traffic. To anyone, however, who was familiar with the conditions in a port like Hong-Kong, the idea that the Government could put down smuggling merely by a stroke of the pen or by a slight increase in the numbers of its preventive forces was ludicrous. The following quotation from the report of the Hong-Kong Committee regarding the physical conditions of Hong-Kong would show the position :

"The difficulties of detection of smuggling are in present circumstances insuperable. Hong-Kong, with a total area of 376 square miles, has a coast and frontier-line of 400 miles, over any parts of which Chinese may come and go at will. Opium in bulk comes by ocean-going steamers, of which the crew frequently, and sometimes the officers, are in league with the smuggler, and it comes also by launch and by junk. The opium is frequently put overboard outside the harbour limits, having attached to it a float which remains submerged for a given period and then rises to the surface. The Hong-Kong Government is about to incur heavy expense in providing a new sea-going revenue vessel to operate outside harbour limits. Many revenue and police launches operated by the Chinese Government carry on an active trade in contraband and, having a Government status, they are more or less immune from search. One such launch was recently sunk in Hong-Kong waters, and, on examination of the wreck, opium and arms were found in it."

The conditions which prevailed in Hong-Kong would prevail to a similar extent in Indo-China, with its enormously long land frontier, and, indeed, they were prevalent in most parts of the Far East.

Another difficulty facing the colonial Governments was the fact that in the suppression of smuggling they did not receive the active support of Chinese public opinion in the possessions. This, at any rate, was the opinion of the colonial Governments, and the following quotation from the report of the Malaya Committee, which dealt with the whole question very fairly and very exhaustively, showed their particular difficulty :

"We feel impelled to utter a warning that the Government cannot rely on the active and continuous support of the Chinese community in carrying out measures which will be distasteful to an appreciable portion of that community. We consider it no overstatement to say that the most sincere opponents of opium-smoking will stop short at advocating drastic measures and will leave the Government to find its own way out of any difficulties which might result from their premature inception."

This passage referred to preventive measures against opium-smoking, and the Committee, which had made these statements, had included Chinese as well as European members. The Conference would appreciate therefore that the colonial Governments had to fight the battle single-handed and that they had to rely on official agencies. Anyone who was acquainted with the conditions in the Far East knew what that meant.

With regard, however, to the system of registration and rationing, the British Government desired to put it into effect and would certainly attempt to do so as soon as conditions permitted. It was possible that in the case of Hong Kong no system of registration would be really practicable owing to the enormous floating population, and that complete prohibition would have to be the method adopted when circumstances permitted.

Wherever it was possible, however, in normal conditions—and, by “normal conditions”, Sir Malcolm Delevingne meant the absence of any large influx of opium from neighbouring territories—the British Government would, he thought, wish to proceed to the adoption of the system of registration and rationing with a view to the gradual and effective suppression of the use of prepared opium in accordance with the terms of the Hague Convention. The Malaya Government was already taking preliminary steps to pave the way for the introduction of such a system should it be possible to do so at a later date.

With regard to the question of the price of opium, which was touched upon in the report of the Committee, the British Government adhered to the policy of maintaining the price at the highest possible level in order to restrict the consumption, always bearing in mind that, if the price were raised to too high a figure, inducement to illicit trafficking would be thereby stimulated.

With regard to penalties, the British Government was entirely in favour of making them extremely severe. He had referred during the meeting of the Committee to the fact that both in Hong Kong and Malaya the local governments had resorted to punishment by banishment with extremely good results.

The British delegation was entirely in favour of furnishing any information possible with regard to the number of smokers. It was entirely in favour of prohibiting the sale of opium dross and of taking measures to discourage, and, as far as possible to prevent, the use of opium by minors. In all British territories the sale of dross was, he believed, prohibited, and in most of them the sale to minors was also prohibited.

Further, the British delegation strongly approved the suggestion of the direct interchange of information and co-operation between the heads of the opium services of the respective territories.

The British delegation also advocated the prohibition of the export of opium, whether raw or prepared, from these territories and strongly recommended that the Conference should discuss the provisions of the British law passed a year previously, and of the Hong-Kong Ordinance, relating to offences committed outside the jurisdiction of British law.

He agreed with the opinion of the French delegation that the most expedient and effective method of procedure would be for the different delegations to submit in writing any proposal which they might wish the Conference to discuss. The British delegation had also prepared for consideration a draft agreement embodying those points upon which it believed substantial, or nearly substantial, agreement had been reached. It would be ready for discussion by the Conference at the next meeting.

M. SZE (China) thanked Sir Malcolm Delevingne for his statement. With regard to suggestion 6 of the Advisory Committee—

“That the position should be generally reviewed periodically by the Powers interested and that the question of further reducing the maximum limit fixed in agreement should be considered”

—he desired to know whether the Committee of the Conference had discussed this.

Sir Malcolm DELEVINGNE (British Empire) replied in the negative.

The Committee appointed by the Conference had been appointed solely to examine facts and not to consider suggestions made by the Advisory Committee, though necessarily, in reviewing the general situation, it had discussed most of the subjects mentioned in those suggestions. He was, however, entirely in favour of the suggestion quoted by M. Sze.

In reply to the President, Sir Malcolm Delevingne said that the latter part of the suggestion in question would naturally fall to the ground if the Conference was unable to establish a maximum limit in the agreement. The principle of the periodical review was supported by the British delegation.

M. SUGIMURA (Japan) desired to give the Conference information regarding the attitude of the Japanese Government towards Chinese immigrants. There were about 8,000 Chinese coolies passing to and fro between Formosa and China. Before their departure for Formosa, they were kept two days in the port of embarkation and were very strictly examined. Only non-smokers were allowed to enter Formosa.

With regard to those returned to China, the Chinese Government could be assured of the fact that they had not acquired the habit of smoking during their sojourn in Formosa.

After 1918, when the Chinese Government had entirely abolished the smoking of opium the Formosan Government had taken the strictest measures to prevent Chinese established in Formosa who were incurable smokers from returning to China, in order that the Chinese Government should not encounter difficulties in applying the measures of prohibition which it had adopted. The question was a complex one, but the Chinese

Government could be certain that the Government of Japan would continue to co-operate with it in this respect.

With regard to the proposal of the French delegate, the Japanese delegation was quite ready to discuss the draft agreement. If the French draft did not contain the suggestions put forward by the Japanese delegation, it reserved the right to make certain further proposals.

The PRESIDENT said that the position of the Netherlands Indies with regard to opium was referred to in the memorandum on the opium policy of the Netherlands Indies which was before the Conference.

He would, however, inform the Conference of the attitude of the Government of the Netherlands Indies with regard to the suggestions of the Advisory Committee :

1. No farm system was in existence since the Dutch Indies possessed a Government monopoly.
2. Private retail shops had already been abolished, and the persons in charge of the Government shops were paid a fixed salary and did not receive any commission on the amount of business done.
3. At the moment, the Dutch Government considered that there was no possibility of adopting a uniform maximum limit for the amount of prepared opium for consumption in the territories of the Far East.
4. A system of registration and licensing was already in force in the greater part of the Netherlands Indies. In some parts very good results had been obtained ; in others, very bad, but the policy of the Government of the Netherlands Indies was to go as far as possible in this direction. The kernel of the whole question was the smuggling trade, and the Government of the Netherlands Indies, when considering the introduction of a system of registration and licensing in any part of the territory, always first tried to discover whether such a system would stimulate smuggling or not.
5. The price of prepared opium in the Netherlands Indies was, he thought, the highest in the world. It might not, therefore, always be possible to make it uniform with the price in other countries. The level of the price always had to depend on the extent of the illicit traffic in a country.

With regard to the penalties for the infraction of the law, these were very severe, and they would be increased. It was not possible, however, to make them uniform with the penalties in force in other territories, because, in the Netherlands Indies, punishment by banishment for offences in connection with opium was not in accordance with the law.

He agreed with the British delegate as to the necessity for a periodical review of the whole situation.

Mr. CAMPBELL (India) stated the position of his Government. In the first place, it desired that the existing provisions of the Hague Convention should be strengthened. In Chapter II, it would like to see the second portion of Article 7 and the whole of Article 8 deleted. The practical effect of this amendment would be to prohibit entirely the export of prepared opium.

The Government of India shared the views put forward by Sir Malcolm Delevingne to the effect that there was really no satisfactory method of securing adequate control over the opium traffic except by creating a Government monopoly and placing the control of the whole opium trade, from start to finish, in the hands of the Government. Experience in India and Burma showed that this was the most effective method of obtaining complete control.

With regard to rationing and registration, there was a system in force in Burma under which every consumer of opium was registered and rationed. No one could obtain more than his ration, and he was compelled to purchase it from a certain named shop. The Indian Government recognised that the adoption of this system depended upon the conditions obtaining in the various countries, and it had no desire to press for its universal application. Obviously, in circumstances such as those described by Sir Malcolm Delevingne as existing in Hong-Kong, it would be extremely difficult, perhaps quite impossible, to introduce such a measure. If, however, it was administratively possible, some system should be adopted, however rudimentary, which contained the germ of a complete system of registration and rationing.

As had been pointed out, the dominant factor at the moment in the Far East was the quantity of contraband opium in circulation. The Government of India hoped that this might not be a permanent situation. If it were so, and if events should prove that the position deteriorated instead of improving, then all the measures of control adopted by the Governments in the Far East were, he thought, bound to end unsatisfactorily. If, on the contrary, the position were to improve, then it would seem advisable that all the

Governments should have in operation a machinery for rationing and registration which, however elementary to begin with, would contain in itself the germ of future development.

With regard to the price of opium, India had found that the most effective method of limiting the consumption was to increase the price. Unfortunately, at the same time the most effective method of encouraging smuggling was to increase the price, and the whole difficulty of the Excise Administration in India and Burma was to strike a just and equitable balance between these two opposing forces. The most difficult problem confronting any Excise Administration was the problem of adjusting the price so that consumption was kept as low as possible, while, at the same time smuggling was not encouraged. The policy of the Government of India might be summed up in the phrase that it sought to derive the maximum of revenue from the minimum of consumption.

India had always prohibited the export of prepared opium. As regards the export of raw opium, the Government of India had for ten years steadily pursued the policy of selling its raw opium direct to responsible Governments, and it expected those Governments to deal with the opium which they received in accordance with the provisions of the Hague Convention, and to use it solely for domestic consumption. The Government of India did not desire re-export from any importing country, and, where it had been possible to do so, it had strongly insisted on this point of view *vis-à-vis* the Governments concerned.

The Government of India accepted the proposal that arrangements should be made for the direct exchange of information between the Excise authorities in the various countries. It also accepted the suggestion regarding the prohibition of the sale of opium to minors. That prohibition existed in India and Burma.

Finally, the Indian Government accepted the suggestion that there should be a periodical examination of the position, conducted by representatives of the interested Governments.

M. FERREIRA (Portugal) said that he had nothing to add to the written statement already submitted by the Portuguese delegation.

Prince CHAROON (Siam) said that the Siamese Government had adopted a Government monopoly and that the farming system had been abolished. Opium was sold by Government officials, the retailers being licencees under the control of the Government.

He did not think it possible to fix a definite figure for the amount of opium to be consumed in Siam, since the number of Chinese who smoked was unknown. Moreover, the figure could not be calculated from the number of Chinese, because the majority of smokers were Siamese.

A Government Commission was now studying a system of registration and licensing. The system had not yet been put into force, and two or three years' preparatory work would be needed before this could be done.

The price of opium in Siam was fairly high. He did not think it could be increased. In any case, the Government would be reluctant to increase it.

The penalties in Siam were fairly severe, including both imprisonment and fines, but, in view of the ex-territorial rights enjoyed by foreigners in Siam, the Siamese Government was greatly handicapped, because the punishment of offences against the traffic and use of opium were not uniform. The Siamese Government hoped that the Powers would adopt in their consular courts the penalties provided for in the Siamese courts, so as to establish a uniform practice. In some consular courts, for instance, the maximum fine was only 100 francs.

He agreed with the suggestion that the situation should be periodically reviewed.

M. SZE (China) thanked the delegations for the statements made. It would be of great assistance to the Chinese delegation if these statements could be distributed in writing as soon as possible in order that it might consult them together with the report of the Committee. It would thus be in a position to make comments at a future meeting.

He had not the slightest intention of interfering with the domestic administration of the various colonies and possessions in the Far East or to propose anything not exactly in accordance with the spirit and letter of the Hague Convention of 1912.

He agreed with the proposal of M. Clinchant that any delegation desiring to make a proposal to the Conference should distribute it in writing without loss of time.

He hoped that the Conference would reach an early and successful conclusion, but he did not desire to sacrifice efficiency to speed. He would study any schemes submitted with the greatest care, but to do this efficiently it was necessary for him to have the statements made by the different delegations before him in writing without loss of time.

Mr. CAMPBELL (India) pointed out the necessity of speed in view of the short time left to the Conference in which to dispose of its agenda. He therefore appealed to the Chinese delegation to facilitate the discussion as much as possible. If the Conference postponed each debate until the written statements of the members had been distributed it would be impossible for it to finish by the date fixed.

M. SZE (China) agreed with Mr. Campbell that the Conference should proceed as quickly as possible, but he did not agree that the Conference, for the sake of speed, should sacrifice efficiency. Time was frequently lost by discussing points alleged to have been brought up by a member of the Conference which it was found later on, when his speech came to be read, had not been mentioned by him at all. For instance, Mr. Campbell criticised M. Sze for historical inaccuracy, basing his criticism on something which M. Sze had never said. He thought it only fair and reasonable that the delegations should be given a chance to study the various questions beforehand.

The PRESIDENT thought that the Chinese delegation had agreed with the proposal of the French delegate to the effect that members of the Conference should have distributed immediately any proposals they desired to submit. This being so, the general discussion could continue at the next meeting.

M. SZE (China) desired to reserve the right to consider on a later occasion any points which might not be elucidated during the discussion. The guillotine methods adopted in certain Parliaments should not be applied to the Conference. Every point must be carefully discussed in order that no possible misunderstanding should arise, and for that reason he requested time in which to study the various statements which had been made during the meeting. There had been, for instance, certain remarks made by Mr. Campbell and Sir Malcolm Delevingne regarding smuggling to which he would like to reply, but he could not do so until he had had time to examine the statements made by the British and Indian delegates. This would not in reality delay the work of the Conference but would expedite it.

Mr. CAMPBELL (India) considered that, as all the members of the Conference were fully conversant with the problems before it, it should be possible for them to answer any questions which arose during the course of the discussion without awaiting the Minutes of the meeting. Any misunderstanding which arose during debate could be put right at once. The Minutes were a summary of the discussion and not a verbatim record of it; in the circumstances the only satisfactory manner in which to correct any misunderstanding was to do it at once during the debate.

Sir Malcolm DELEVINGNE (British Empire) supported the proposal to conclude the general discussion of Item III of the agenda at the next meeting and then to proceed to Item II. The Conference could also begin the consideration of the various concrete proposals submitted to it. It would be open to the Chinese delegate to make statements at any future stage of the proceedings on any point which had arisen.

After a further exchange of views between M. SZE (China) and the PRESIDENT, the Conference decided to discuss Item II (b) of the agenda and any concrete proposals submitted by the delegations on the following day.

ELEVENTH MEETING

Held at Geneva on, Thursday, November 13th, 1924, at 3.30 p.m.

President : M. van WETTUM (Netherlands).

19. Consideration (a) of the Present Situation in China with regard to the Production of Opium and its Effects on the Control of the Use of Opium in the Neighbouring Territories, and (b) of the Measures which should be taken by the Government of the Republic of China to bring about the Suppression of the Illegal Production and Use of Opium in China.

M. SZE (China) wished to make an addition to the statement which he had made at the preceding meeting. He read the following declaration :

“In the resolution of the Assembly of the League of Nations providing for the convening of this Conference, it is declared that one of the subjects to be discussed is ‘as to the measures which should be taken by the Government of the Republic of China to bring about the suppression of the illegal production and use of opium in China’. It is here recognised that, at the present time, the production and use of opium are forbidden by the laws of China. From the policy

represented by these laws, and which has now been the policy of China for nearly twenty years, the Chinese Government will not depart. Furthermore, that Government is prepared to give, and does give, to the Powers represented at this Conference, the absolute assurance that, to the extent of its administrative and executive power, it will continue this policy by applying rigidly the laws now in force, and by adopting still other measures, should developing conditions make their need manifest, in order that the complete suppression of the use of prepared opium may be secured.

“Having given this assurance, China hopes that the other Powers will cooperate with her by taking such action in their several territories as will make easier for China the successful carrying out of her policy as above declared.”

Sir Malcolm DELEVINGNE (British Empire) said that he had waited for the Chinese delegate to deal with some of the points which he (Sir Malcolm Delevingne) had raised on the preceding Thursday. He had also hoped that the Chinese delegate would give the Conference some assistance in dealing with the third part of its programme. This part dealt with two matters: the examination of the present situation in China and the consideration of the measures which might be suggested to the Government of the Chinese Republic for bringing about a suppression of the illegal production and use of opium in China.

The Conference had just received a further assurance of the intentions of the Chinese Government. He expressed the hope that this assurance represented an intention on the part of that Government to adopt a different attitude on the question in future towards the other Powers and towards the League of Nations. Such a change was the first and most essential step towards any improvement in the existing situation.

The Chinese people could not be expected to take seriously the existing laws of the Chinese Republic prohibiting the growth and use of opium when they knew that their Government had been protesting to the rest of the world that there was practically no growth or use of opium in China. The rest of the world also could not be expected to take such protestations very seriously so long as it was aware that the real facts were very different.

M. Sze had asked for the assistance of the Powers. The first condition of that assistance was that the Chinese Government should undertake to treat the Powers with frankness. The matter was one which was not only of immense domestic importance to China herself but was also one of very serious concern to the neighbouring Powers. M. Sze, whose influence with the Chinese Government was very great, had an opportunity of impressing upon his Government the absolute importance of such a step.

Such a change of attitude would mean two things. It would mean that the Chinese Government would seriously undertake a thorough investigation into the facts as they existed at the moment in the different provinces of China, so far, at any rate, as lay within its power. In the second place, it would mean that the Chinese Central Government would enforce the policy which it had adopted and which M. Sze had said it intended to maintain in the territories which were within its sphere of influence and jurisdiction.

Sir Malcolm Delevingne had referred to the situation in the Metropolitan Province and in Manchuria, and nothing, he thought, would do more to establish confidence between China and the rest of the Powers than for China to take a practical step of the kind which he had described.

He wished to say nothing which might be regarded by the Chinese delegation as harsh or interfering, but the facts which he had mentioned at previous meetings had never been questioned. It was on the two lines which he had proposed that, as the restoration of order in China (which everyone desired to see accomplished) proceeded, further and rapid progress might be made in the future.

The League of Nations and the Advisory Committee had always been anxious to assist China in the matter, and he thought that the representative of China on the Advisory Committee, who was also present at the Conference, would admit that; however unpalatable had been the advice given from time to time by the Advisory Committee, it had never been actuated by anything but a spirit of friendliness towards China. Sir John Jordan, whose name must always be mentioned with respect in an Assembly of this nature, had placed, and would continue to place, his experience and wisdom at the disposal of the League. Any advance on the part of the Chinese Government in the direction indicated would be met on the part of the League, of which China was a Member, with the utmost desire to serve the interests of China. Such a change of attitude on the part of the Chinese Government would give ground for the hope that in comparatively few years it would be possible for the Far Eastern Powers represented on the Conference to re-assemble with a far better prospect than they had at the moment of arriving at a real settlement of the questions which the Conference had been called upon to consider.

M. SUGIMURA (Japan) wished to point out that the improper use of opium was not only a question of public health but also affected the honour of the nation. He stated

once more that the sympathy of the Japanese people for their Chinese brethren was very great. The Japanese people were determined to co operate with China in the complete abolition of the illegal use of opium. While the present political state of affairs continued in China, the efforts made would be necessarily somewhat one-sided, but the co-operation of which he spoke would become possible as soon as the Central Government had established order and authority in China.

The Japanese delegation proposed the following draft resolution :

“The Conference, trusting in the declarations of the Chinese delegate, declares itself ready to collaborate in a friendly manner with China with a view to the suppression of the opium evil. The Conference hopes that political considerations will very shortly make this collaboration effective and possible, and at the same time proclaims its continued fidelity to the principle of non-intervention in the internal affairs of China”.

The PRESIDENT asked whether the Conference desired to discuss the proposal immediately.

Sir Malcolm DELEIVINGNE (British Empire) recalled the terms of the second paragraph of Rule 10 of the Rules of Procedure of the Conference :

“As a general rule, no draft shall be discussed or voted upon unless copies shall have been duly communicated to the delegates beforehand.”

He asked that this rule should be observed.

M. SUGIMURA (Japan) thought that the question of procedure was not of very great importance, but that the question of principle was an essential matter of concern. He saw no reason, however, why the Conference should not discuss his proposal on the following day or the day after that. The proposal was an expression of sympathy and loyalty.

The PRESIDENT reminded the Conference of the terms of the third paragraph of Rule 10 of the Rules of Procedure :

“The President may, during the debates, authorise the discussion or examination of amendments without having previously communicated them to the delegates, provided their text has been communicated to him in writing.”

He asked the various members of the Conference whether they were prepared to discuss the Japanese proposal at the moment or at a future meeting.

M. CLINCHANT (France) saw no objection to an immediate discussion, though he would have to make certain reservations with regard to the Japanese proposal.

Mr. CAMPBELL (India) suggested that the proposal should be discussed immediately.

Sir Malcolm DELEIVINGNE (British Empire) said that he would be unable to make any remarks on the subject at the moment, but that he would make them at a later stage.

M. CLINCHANT (France) proposed that the Conference should adjourn so that the various delegations might have an opportunity of examining the Japanese proposal.

Sir Malcolm DELEIVINGNE (British Empire) proposed that the discussion on the proposal should be adjourned to the following day.

The PRESIDENT asked the Japanese delegate if he desired a vote to be taken on the question as to whether his proposal should be discussed immediately or on the following day.

M. SUGIMURA (Japan) said that the actual wording of his proposal was a matter, as far as he was concerned, of secondary importance. He would not oppose any drafting amendments the Conference might make, but he thought that any hesitation on the part of the Conference to discuss it would raise doubts that would diminish the force of the resolution. The resolution contained a question of principle, about which it was not necessary to obtain the opinion of experts nor was it necessary to discuss it in detail. He asked that an immediate vote should be taken on his proposal.

M. SZE (China) said that he was very anxious to see the work of the Conference proceed. Rule 10 of the Rules of Procedure contained two regulations, one of which was to the effect that a proposal could not be discussed or put to the vote unless it had been previously communicated to the delegates. The President, nevertheless, had the power to authorise the discussion of any proposal which had been communicated to him. The President should therefore decide whether, in his opinion, the first or the second part of Rule 10 of the Rules of Procedure should be applied to the Japanese proposal.

The PRESIDENT pointed out that, in the case before the Conference, his powers were limited. The third paragraph of Rule 10 only concerned the discussion or the examination of amendments.

M. SZE (China) desired to see the work of the Conference end quickly and reach fruitful results. It was for this reason that he would be ready for an immediate discussion of the Japanese proposal. Nevertheless, certain delegations might be right in asking for time in which to examine it. He had been much moved by what the Japanese delegate had said, and if a motion to the effect that the Japanese proposal should be discussed immediately were put to the vote, he would vote in favour of such a motion.

The PRESIDENT put to the vote the question whether the Japanese proposal should be discussed immediately.

Three delegations voted for immediate discussion, one against and four abstained.

The PRESIDENT opened the discussion of the proposal of the Japanese delegation.

Mr. CAMPBELL (India) said that India could not accept the resolution in its present form. In the first place, he desired to point out that no nation represented on the Conference was lacking in sympathy for China in her present troubles. Apart, however, from the question of sympathy, there was the much more important question of the definite engagements entered into by China both under the Hague Convention and under her agreement with Great Britain.

By the first article of the Hague Convention, China was bound to take certain measures. Those measures had not been taken. That fact indisputably gave the Conference the right to examine and to criticise.

India in this matter occupied a somewhat special position. As the Conference was aware, an agreement had been concluded between His Majesty's Government and China regarding the Chinese opium traffic. By the terms of that agreement, China undertook certain responsibilities and entered into certain definite engagements which had not been executed. He did not wish to underrate the difficulties which China was experiencing, but those were the facts. The engagements in question had been carried out in their entirety by India. The Indian Government had in fact stopped the export of opium to China four years before it was under the obligation to do so.

The resolution proposed by the Japanese delegate gave a totally misleading impression of the position in China. Nothing was said in it regarding the enormous production of opium in China or the enormous illicit uses of opium. Nothing was said regarding the fact that opium was flowing out of China and embarrassing, and in some cases, even imperilling, the control of opium in the adjoining countries. It would not be fair, indeed it would be wrong, for the Conference to accept a resolution of this kind. It failed completely to deal with the specific point referred to the Conference by the resolution of the Assembly.

He did not understand why the question of non-intervention in the domestic affairs of China had been introduced into the resolution. It appeared to him to be irrelevant. No one proposed to interfere with the sovereign rights of China in any way. The position was that China had, of her own free will, entered into certain engagements which concerned other nations; when those other nations, in accordance with these engagements, criticised China's action, they were not interfering with the sovereign rights of China in any respect.

To hold a contrary opinion seemed to Mr. Campbell to prevent any criticism by an interested party of the action taken under any international treaty.

M. SUGIMURA (Japan) said that, as far as the Japanese delegation was concerned, the question of opium was, above all, a humanitarian and social question. The economic and financial considerations regarding import, export, sale, purchase, etc., were only of secondary importance. He had had occasion during the time which he had spent in China in 1917-1919 to note the admirable efforts made by Chinese statesmen and enlightened Chinese public opinion to abolish the opium scourge. China had almost achieved success, and the Conference should pay a tribute to such an effort.

Since that date, however, the situation in China had unfortunately changed. Too much criticism had been made by the League of Nations in regard to China. Appeals should now be made to the sentiments of brotherhood which bound the people; sentiments which formed the basis of the League of Nations. What country could be certain that it would not itself one day fall into disorder, which would paralyse its normal life. In the previous year Japan, which had been the victim of a terrible earthquake, had received the valuable assistance of Great Britain, France, United States, Netherlands, China herself, and other nations, and Japan would always be grateful for such a mark of sympathy. If feelings which inspired such action were to disappear, what would be the use of the League of Nations? Such feelings ought to dominate the question of opium, which was, above all, a humanitarian and social question.

With regard to the passage in his proposal concerning non-intervention in the internal affairs of China, the Japanese delegate was ready, if the Conference thought this passage needless, to delete it.

On the proposal of Sir Malcolm DELEIVINGNE (British Empire), *the Conference adjourned for twenty minutes.*

(The Conference resumed its sitting at 5.30 p.m.)

The PRESIDENT recalled the fact that the Japanese delegate had consented to the deletion of the last part of his proposal.

With regard to the first part, he was in doubt whether such a statement would not create an impression exactly the opposite of that which was intended by the Japanese delegate. The spirit of co-operation had been so evident and manifest that to express it in a resolution might raise doubts as to its reality.

M. SUGIMURA (Japan) explained that the essential point of his proposal was as follows :

“That the Conference expresses confidence in the statements of the Chinese delegate”.

Everything else was of secondary importance. Only a feeling of mutual respect and confidence could form a basis of the agreement which the Conference desired to achieve. After the clear and precise statements made by the Chinese delegate, he thought that the discussion on the question of China could merely end in a statement of confidence by the Conference in the assurances given by the Chinese delegation.

The amended text of the Japanese proposal was read :

“The Conference expresses its confidence in the declarations made by the Chinese delegate and declares itself ready to collaborate in a friendly manner with China for the suppression of the opium evil. The Conference hopes that political circumstances will make such collective collaboration possible in the near future.”

Mr. CAMPBELL (India) accepted the amended resolution, provided that an addition was made dealing with the existing situation in China. The Conference had been convened to consider that situation, and it should, in his view, make some mention of it. He therefore proposed the following amendment to take the place of the last sentence of the resolution.

“The Conference, while noting with regret the enormous illicit production and use of opium in China and the fact that large quantities of this illicit opium find their way into other countries in the Far East, thereby rendering the control over opium in these territories difficult and, in some cases, threatening to imperil that control, hopes that political circumstances will make such effective collaboration possible in the near future.”

M. SZE (China) said that if Mr. Campbell's amendment were adopted, he would be compelled to answer it at length. At the moment he would reply to Sir Malcolm Delevingne.

He had always welcomed constructive criticism, and Sir Malcolm Delevingne had put forward certain criticisms of that nature. On the other hand, destructive criticism did not help the progress of the Conference. Chinese people had always been anxious to co-operate with the League, because they believed in the League and in its aims and principles. Those same principles had been the chief factors in the civilisation of China ; while other civilisations had existed and passed, Chinese civilisation had stood the test of time, because Chinese policy had always been actuated by high motives. All international agreements, in order to be effective, must possess two things—good-will and co-operation. Without these, the members of the Conference would do no useful work and should immediately return to their respective countries. He felt sure that all the members of the Conference desired to achieve some tangible result and that they were actuated, as the Chinese delegation was actuated, by motives of good-will and co-operation.

The recommendation which the Chinese delegation would make to its Government would be that it should exercise greater care in checking the reports submitted to it by minor officials.

The matter of future investigations deserved the greatest attention. M. Sze hoped that those investigations would be made in a way acceptable to all, and he desired to assure Sir Malcolm Delevingne that the matter had been receiving the very serious attention of the Chinese delegation.

He associated himself with the tribute paid by Sir Malcolm Delevingne to Sir John Jordan. There was no greater or more impartial authority. Sir John Jordan had said that China had succeeded once before in suppressing opium and that he was confident that China would be able to do so again. He had mentioned that the province of Szechuan had been one of the worst in the matter of cultivating opium, but that, when the Government of Peking had succeeded in recovering effective control over that province, it had taken measures to remedy this evil and good progress had been made.

In the Metropolitan Province of China there was a certain looseness of administration. Sir Malcolm Delevingne would admit the force of the statement which Sir John Jordan had made to the effect that, as soon as the Central Government in China had been able to exert its power, it had lost no opportunity of rigidly enforcing laws against opium, laws which had been in existence for nearly twenty years. He had already assured the Conference that China did not intend to depart from those laws.

The Chinese delegation had the greatest respect for Sir Malcolm Delevingne because of the constructive proposals which he had made during the fifth session of the Advisory Committee. The Chinese people hoped that he would insist on those proposals and not

accept any amendment regarding them. They hoped, too, that he would go further, since the Chinese, as a nation, looked towards the Government of Great Britain for assistance in fighting the scourge from which it had so long been suffering.

Mr. Campbell had made two accusations against China and had, to a certain degree, called in question the good faith of the Chinese Government. In the first place, he had accused China of having violated Article 1 of the Hague Convention. That article was as follows.

“The Contracting Powers shall enact effective laws or regulations for the control of the production and distribution of raw opium, unless laws or regulations on the subject are already in existence”.

No one would maintain that the Chinese Government had failed to enact such laws. The truth was that China had enacted them long before the Hague Conference had met.

Mr. Campbell had also accused China of failure in regard to the Anglo-Chinese Agreement of 1907. If Mr. Campbell's attitude was the official attitude of the Indian Government towards China on the opium question, was it possible to think that India would release China from the obligations of the Treaty of 1907? Had not China invited British officials to examine the different provinces and then, when those British officials had stated that those provinces were free from opium, Great Britain had declared that China had fulfilled the terms of the Treaty and that it would no longer export Indian opium to China. China appreciated the help given her by the United States, Great Britain and India at that moment, and hoped that the sympathy and friendship of those Powers and the Powers represented at the Conference would continue to be extended to her.

Although he had found it necessary to reply to Mr. Campbell's criticisms, it should not be supposed that China would take part at an international conference in any discussion regarding a treaty made with any Power. The Treaty to which Mr. Campbell and himself had referred was one concerning only China and Great Britain. So far as China was concerned, he hoped that his reply would not be taken to mean that China would submit to the discussion at any international conference of any treaty which she had made or might make.

Mr. CAMPBELL (India) desired to declare in the most positive manner that he had made no implication whatever affecting the good faith of the Chinese Government. He had never stated, nor had he implied, that he did not accept the assurances given by the Chinese delegate. On the contrary, he had accepted the resolution presented by the Japanese delegate, subject to a certain amendment. That amendment in no way affected the statement in the resolution regarding the assurances given to the Conference by the Chinese delegation.

There were two points to which he desired to draw the attention of the Conference. First, when he had referred to the agreement made between Great Britain and China, he had done so in order to explain India's special position in the matter. He quite accepted the point of view of M. Sze that that agreement was not a fit subject for international discussion. It had, however, very frequently been referred to in the Advisory Committee as explaining and justifying the special interest which India took in the question. It was only because that agreement was not a fit subject for international discussion that he did not reply to the arguments which M. Sze had advanced.

As regards Article 1 of the Hague Convention, which M. Sze had quoted, Mr. Campbell desired to point out that it required the contracting Powers to enact *effective* laws. His contention was, and he thought this view was shared by other members of the Conference, that the laws enacted by China were demonstrably ineffective.

M. SUGIMURA (Japan) commented on Mr. Campbell's amendment. The fact that enormous quantities of opium were being produced in China had already been noted by the Conference, but as the second part of his original proposal regarding non-intervention in the internal affairs of China had been deleted, Mr. Campbell's amendment was now no longer necessary. In the opinion of M. Sugimura, the League of Nations had already sufficiently criticised China. The Advisory Committee, the Council and the Assembly had criticised China before the whole world. The Conference, however, was desirous of drafting an international agreement in which China could take part. Could such an agreement be reached in such an atmosphere? The honour of China was at stake. China was a great nation with prestige, history and a public opinion. No delegate could accept such a statement. This Conference should not state that China had failed to fulfil her engagements, but merely that the principal cause of the opium scourge was the political circumstances in which China found herself at the moment. The Conference should say that it hoped that those circumstances would change, thus making, in the future, collaboration on the part of China fruitful in results.

International co-operation must be based on mutual respect and confidence. The atmosphere at the Hague Conference had been very different. The Japanese delegation addressed a warm appeal to the loyalty and chivalry of the nations represented at the Conference.

M. SZE (China) said that he had come to the Conference with the firm hope that something would be achieved. He still entertained the hope that delegates at the Conference would create, by what they did, such a deep impression in China that the Chinese would be all the more desirous of putting an early end to the use and cultivation of opium.

It was not for the Chinese delegate to make suggestions to the Conference as to what it should recommend China to do. The Chinese delegation, however, had the right to accept or refuse to place these recommendations before its Government. If constructive and practical suggestions were offered, and offered in the spirit of the Washington Conference, and if those suggestions were compatible with the sovereignty of China, he would not only be glad to examine them but he would forward them to his Government with the recommendation that they should be adopted.

Whatever was said in the Conference was being very carefully followed by the people of China, unofficial representatives of whom were present at the meetings of the Conference. He knew that the Conference had a sincere desire to help China in suppressing at an early date the opium scourge, and he therefore urged it to put its suggestions in a form which would raise no question or doubt in the mind of the Chinese people. Nothing could be accomplished except in a spirit of good-will and co-operation. He could not agree with Mr. Campbell's contention that the laws of China were not effective. They were effective and comprehensive. They had been tested and had been found to be adequate.

Mr. Campbell's amendment to the Japanese proposal attempted to commit the Conference to a statement of facts which were doubtful or questionable. It was therefore not a proper amendment and incompatible with the original resolution.

The PRESIDENT asked the Japanese delegate whether he could withdraw his resolution in view of the fact that the good faith of any Government or any delegate could never be questioned and therefore should not be explicitly affirmed.

M. SUGIMURA (Japan) said that in those circumstances he was quite willing to withdraw his resolution. He thanked the President for the efforts which he had made to arrive at a solution which was in accordance with justice.

TWELFTH MEETING

Held at Geneva on Friday, November 14th, 1924, at 11 a.m.

President : M. van WETTUM (Netherlands).

20. Consideration of the Measures which can be taken to carry out more effectively the Policy embodied in Chapter II of the Opium Convention of 1912 of gradually Suppressing the Use of Opium for Smoking, and the Preparation of a Convention to embody the Measures which may be agreed upon by the Conference: Items II (b) and (c) of the Agenda: Discussion of draft Agreements.

The PRESIDENT said that the Conference had before it the report of the Committee as well as the draft agreements proposed by the British delegation (Annex 9) and the French delegation (Annex 10).

The Japanese delegation had also presented certain proposals.

The President proposed to take the British and French drafts together and to examine the various points dealt with in these drafts.

M. FERREIRA (Portugal) said he was in favour of discussing the French draft, which, in his opinion, contained the greatest number of points on which the Conference might most easily reach agreement.

M. SUGIMURA (Japan) said that, after having carefully examined the various drafts presented, the Japanese delegation had noted that there were articles in the various drafts which dealt with the same subject. For example, the question of the monopoly was dealt with in Article 1 of the British draft and Article 1 of the French draft. The question of retail sale was dealt with in Articles 2, 3, and 7 of the French draft and in Articles 2 and 3 of the British draft. The question of exportation was dealt with in Article 4 of the British draft and in the Japanese proposal, etc.

He accordingly suggested that the Conference might discuss each subject as the President had proposed, referring to the relevant articles in the various drafts submitted.

MR. CAMPBELL (India) supported the proposal of the President, but did not see any objection to extending it in the direction indicated by the Japanese delegation.

M. SZE (China) supported the proposal of M. Sugimura. As the Conference was asked to deal with several proposals, more or less identical in character, it seemed to him logical and convenient for the identical points of each draft to be discussed together.

Sir Malcolm DELEVINGNE (British Empire) also supported the Japanese proposal.

The Conference decided to adopt the Japanese proposal.

Discussion of Article 1 of the Draft Agreement presented by the British Delegation and Article 1 of the Draft Agreement presented by the French Delegation.

The Conference passed to the discussion of Article 1 of each of the two drafts. Article 1 of the British draft was as follows :

"1. The importation, manufacture and sale of opium, both raw and prepared, in the possessions and territories, shall be a monopoly of the Government and shall be conducted solely by the monopoly. The right to import, manufacture, sell or trade in opium, whether raw or prepared, shall not be leased, accorded or delegated to any person whatever.

"Persons employed by the monopoly in the sale of opium, whether raw or prepared, shall be paid by a fixed salary and not by a commission on sales."

Article 1 of the French text was as follows :

"In countries where the use of opium is still permitted, an administrative department of the Government shall alone be competent to fix the supply and to distribute to consumers their necessary requirements in respect of opium ; the system of contracts shall be prohibited."

M. SUGIMURA (Japan) said that the Japanese delegation preferred the French draft, which was clearly more comprehensive and more logical. It was more elastic and did not impose on the parties any hard-and-fast system.

M. FERREIRA (Portugal) also accepted the French draft, which had the advantage of taking into account the transitional regime.

Sir Malcolm DELEIVINGNE (British Empire) said that, if he understood the French draft rightly, it was not a proposal for the establishment of a complete Government monopoly. By a Government monopoly, he meant a control of the whole traffic in opium from the import of the raw opium to the sale of the prepared opium to the consumer.

Article 2 of the French draft "opium shall not be sold to consumers except in shops placed under the permanent supervision of an administrative department of the Government" apparently contemplated that the retail sale of opium to the consumer might be entrusted to private individuals, in other words, that the private retail shops would be allowed to continue their sales. The second suggestion in the resolution of the Advisory Committee, however, contemplated the abolition of the private retail shops, in other words, that the retail sale of opium to the consumer would be carried on exclusively in Government establishments by Government employees who were to be paid a fixed salary and not to draw any commission on the sales. The object of this system was to remove entirely any temptation on the part of the retail seller to push the sale of prepared opium.

The French proposal appeared to him to fall far short of what the Conference should do. The issue was perfectly simple. Were the Governments to allow the retail sale of opium to the consumer by private individuals, even though they were licensed and supervised, who would have an interest in the sale of prepared opium to the consumer ? The Conference ought to take a clear and quick decision on the point.

In Formosa the sale by private individuals was accompanied by a system of licensing and rationing which put a different complexion on the situation. The licensed trader, according to the report of the Japanese delegation, was really an agent of the Government, and he was only allowed to sell a fixed quantity to each consumer, the consumer being registered and provided with a licence. Invariably, according to the Japanese delegation, the trade in these retail shops was very closely supervised and the Japanese Government was satisfied that the regulations were strictly observed.

The Committee had, therefore, concluded that a system similar to that described by the Japanese delegation might be regarded as equivalent to a complete Government monopoly. For this reason, the British delegation had proposed in Article 3 (a) of the British text an exception so far as regards retail shops "... in any possession or territory, or in any district of any possession or territory, in which a system of rationing and licensing of smokers is in force".

This provision would cover the case of Formosa.

The British proposal was in conformity with the principle which had been suggested in the previous year by the Advisory Committee, a principle against which no objection (except as regards the special position of Japan in Formosa) had been raised at the present Conference, and he hoped that the Conference would adopt this principle.

He would, moreover, observe that Article 3 (b) of the British draft authorised the continuance of the existence of private retail shops in certain other cases. The insertion of this article was the result of certain difficulties which had been pointed out in the Committee by the President in regard to the Netherlands Indies, by the French delegation in regard to Indo-China, and by the British delegation in regard to Malaya and North Borneo.

In the vast territories of the Netherlands Indies, Indo-China, Malaya and British Borneo there were isolated groups of Chinese labourers at great distances from centres of population and centres of administrative control. In cases, therefore, where it was extremely difficult for the Government to undertake the retail sale, the British draft proposed that special provision should be made for sales by duly licensed and supervised agents.

The British proposal had attempted to bring together all the points on which it was understood that an agreement of substance was probable. All controversial points had been avoided and, as regards the particular question of a complete Government monopoly, he understood that the report of the Committee expressed an opinion in favour either of a complete monopoly or a qualified monopoly coupled with the system of registration and rationing practised in Formosa.

M. SUGIMURA (Japan) thought that there was a certain confusion in the British draft. There was confusion in particular between Articles 1 and 2 of the draft. Article 2 referred to conditions of retail sale, but it also said that "the importation, manufacture, or sale of, or trade in opium, whether raw or prepared, by any persons other than the authorised employees of the monopoly should be absolutely prohibited".

Article 1 contained almost the same provisions, as it laid down that "the right to import, manufacture, sell or trade in opium, whether raw or prepared, should not be leased, accorded, or delegated to any person whatever".

He thought that, from the drafting point of view, it would be necessary to combine these two articles. Moreover, he would put on one side as far as possible the question of retail sale. This was, in his opinion, a somewhat different question. However, if the members of the Conference desired to discuss it at the same time, he was prepared to do so.

Certain delegations maintained that the State monopoly at Formosa was not a complete monopoly. It was, however, equivalent to the complete State monopolies in force in other territories.

In the view of the Japanese delegation, the importation and manufacture of opium should constitute two different State monopolies. The sale, however, was a matter for the police administration, to be controlled by a system of registration and rationing which should ensure that no opium would be unlawfully consumed. He would venture later on to submit a draft, as the proposal in its present form appeared to be imperfect and inadequate and was not worthy of the League of Nations.

He had already explained in the Committee what was the character of the official Japanese agents who supervised the retail sales. These agents were not private persons, but had the status of regular officials. It did not appear to him that it was for the Conference to discuss the status of these officials in the legal sense, the subject being one of secondary importance.

With regard to the allusion which had been made to Chinese groups subject to no supervision in territories belonging to the Powers, he did not think the Conference should attach undue importance to this matter. The same state of affairs existed in Formosa. In this mountainous island, covered with forests, there lived savage tribes who twenty-five years ago committed murder and ravaged the country. At present, after many efforts, the Japanese authorities had succeeded in establishing a settled order among these tribes.

In conclusion, he would support the French draft, not merely from a particular but from a general point of view. The French draft covered all States and would be more easily accepted by all States.

M. CLINCHANT (France) asked the President whether he would allow M. Kircher to address the Conference. M. Kircher, owing to his position as Director of Customs and Excise in Indo-China, was in a position to make a precise statement on the question of opium shops in Indo-China. The Conference would then realise that the drafting of Article 2 of the French draft gave full satisfaction, as it took account of local necessities in the different countries.

M. KIRCHER (France) said the British delegate had stated that the monopoly was not complete when sales to consumers were effected by persons who were not officials. The experience acquired in Indo-China and the special position of that country enabled him to state that this theory was not well founded and that the system advocated by the British delegate would be absolutely impracticable in Indo-China and would lead to disappointing results.

The British delegate had maintained that opium must be sold to private persons and to consumers in establishments belonging to the State by officials of the State, whose salaries were fixed and not paid in the form of a commission on sales.

Each of these three points deserved to be separately examined.

It was absolutely impossible in a country like Indo-China, which contained twenty million inhabitants, or a country like Burma, which contained thirteen million inhabitants, or like British India, which included millions of inhabitants, to build a house in each opium-smoking village where opium might be sold. Was there in each village in Burma a shop, controlled by the Government, for the sale of the drug? Such a system might be adopted in a small island or town like Hong-Kong. It was in force in Hanoi, where the Government had registered shops belonging to it, but in an extensive territory no such system could be adopted.

The authorities were obliged, on the other hand, for humanitarian reasons, to place opium at the disposal of consumers wherever they existed, and in cases where they could not do without it. It was necessary therefore that there should be an opium shop in these localities.

As regards the second point, it was no more possible to think of having opium sold in retail by a State official. In an immense country like Indo-China or Burma or British

India 200,000 officials would be required. Recourse should, therefore, be had to small shopkeepers. In a large town from two to three kilogrammes of opium were sold in each shop per month, but in a small village the sales amounted to 50 or 60 piastas per month, that was to say, about 5 francs. It was accordingly impossible to instal in each village an official drawing an annual salary of from 10,000 to 12,000 francs. Moreover, the system of State officials would be extremely dangerous. If no remuneration were given to a small shopkeeper who was a State official, and who lived 500 kilometres from any civilised centre, this shopkeeper would not sell Government opium, but would get into touch with a smuggler and sell contraband opium. He would pocket the fee given him by the Government and would, nevertheless, sell contraband goods.

The French system in force in Indo-China gave, on the contrary, every desirable guarantee. The authorities considered that their monopoly was complete, and the French delegation claimed to have given in Article 1 of its draft a definition such as might be adopted by all nations.

The Government of Indo-China had the absolute monopoly of importation. Only the Director of Customs and Excise might import opium, and he alone might correspond with the Government of India, which was the sole source of supply for the opium imported.

The manufacture took place in one of the Government factories, and the distribution of the manufactured article to the consumers was made through the Receivers of Customs and Excise, who were officials of a fairly high rank. These officials received direct from the factory the quantities of opium which they needed for the monopoly, and they themselves distributed to the licensed shopkeepers the quantities to be put on sale. The shopkeepers were chosen exclusively by the Director of Customs and Excise or by his delegates. These shopkeepers must present satisfactory guarantees of morality and honesty, so that it might be assumed that they would not have any dealings with the smugglers. This was an important point. The system at the same time enabled the French authorities to undertake humanitarian work. They chose as licensed shopkeepers widows and orphans, whom they were thus able to save from destitution thanks to the small remuneration which they were able in this way to earn.

As he had just said, the authorities required from the shopkeepers moral guarantees, but they also placed them under continuous supervision. They could not conduct a single purchase or sale without coming under official supervision. Each shopkeeper was provided with an official book in which the Receiver of Customs and Excise himself inscribed the quantities distributed. What higher guarantee could be required? Moreover, the Customs agents, the agents of the administrative services, the police and gendarmerie were all provided with sufficient authority and had access night and day to all the licensed shops. They might conduct any investigations which they considered necessary.

The authorities also considered that a fixed remuneration for the small shopkeepers was impracticable, illusory and dangerous. Moreover, the suggestion that opium should be sold by State officials was absolutely destroyed by Article 3 (b) of the British draft, which laid down that opium might be sold by duly licensed agents in districts where the maintenance of a shop by the monopoly would be difficult.

Articles 1, 2, and 3 of the British draft must be combined in a single whole, and this was what the French delegation had tried to do in Article 1 of the French draft.

Prince CHAROON (Siam) asked Sir Malcolm Delevingne whether the present system governing the sale of opium in Siam corresponded with Articles 1 and 3 of his draft. There existed in Siam a complete Government monopoly. The wholesale sale of opium was conducted by regular officials who received fixed salaries, but retail sales were conducted by shopkeepers furnished with a license who could not sell a larger quantity of opium than that fixed for each shop under a written agreement. A Committee would shortly be appointed to make a full investigation of the opium question as a whole and of the methods which would enable a complete control of the traffic in opium to be exercised. The Siamese authorities hoped, as a result of these preliminary enquiries, namely, in about three years, to introduce a system of registration and rationing.

He desired to know when the draft Agreement and especially the provisions to which he had referred were to be put into force, if they were adopted. If they were to be put into force immediately, he could only accept them with certain amendments in order to allow for a transitional period while the new system was being set up.

Sir Malcolm DELEVINGNE (British Empire) replied that he had inserted no provision in his draft concerning the date on which the agreement should be put into force. It was obvious that sufficient time would have to be allowed to the Governments which signed and ratified it to put the provisions into force. The time to be allowed would be a matter for negotiation between the delegations of the Powers represented at the Conference. He himself would have no objection to a liberal allowance of time being accorded by the stipulations of the Agreement.

With regard to the first question put by Prince Charoon, whether the Siamese system, by which the amount of opium sold in a particular shop was limited to a definite quantity, corresponded to Sir Malcolm Delevingne's proposal, he replied that that depended on the manner in which the limit was fixed. If the limit were fixed on the basis of the number of smokers who would purchase at the shop, and on the rationing of these purchasers, then,

in his view, the Siamese system fell within the terms of paragraph (a) of Article 3 of the British draft Agreement. If, on the other hand, the limit were simply an arbitrary one and might consequently be fixed at a very high figure, possibly one considerably in excess of the purchases made at the shop, then the door would still be left open to the evil which it was desired to avoid, that was to say, the evil of the retail seller pushing sales in order to make as much profit as possible. Perhaps Prince Charoon could give further information as to the manner in which that limit was fixed for the individual establishment.

He added that there were certain provisions in the British draft Agreement which could be brought into force immediately. There were others which might involve alterations in the administrative system of a country for which a sufficient delay must be allowed. The reply which he had given to Prince Charoon naturally referred to this latter group of provisions.

Prince CHAROON (Siam) replied that he could not say exactly how the limit was fixed, but when this system had been started in Siam there had been in existence 3,000 shops, while at the moment there were only 946 shops. The Siamese authorities had endeavoured steadily to diminish the quantity of opium sold.

Mr. CAMPBELL (India) desired to give certain explanations regarding the system in force in Burma. He thought that, as a general rule, the only sound principle to adopt was that the actual vendor of opium must possess no pecuniary interest whatever in pushing his sales. This, he thought, was the essential point, and it was this that was secured by the system proposed by Sir Malcolm Delevingne. That system would give rise to no difficulty in Burma. The system which had been in force in that country for well over 30 years was practically identical with the system in force in Formosa, except that the Burma authorities had gone a little further and had installed a Government official in each shop to supervise the sales of opium.

As an Excise Officer who had had to deal with the question in actual practice, Mr. Campbell could quite appreciate the point of view of the French delegation. He considered that the whole question was one of degree.

In Burma, for a population of thirteen million people, there were as near as possible 125 shops. The control exercised in India and Burma was one of extraordinary strictness. In Burma there was one opium shop per 100,000 inhabitants, and the system in force there was that of prohibition with strictly controlled consumption in cases where consumption was essential. In India there was no prohibition and the authorities depended entirely upon the system of control. In India the number of shops was one per 42,000 of the population.

The essential difference between the situation in Indo China and the situation in Burma had been stated by M. Kircher at a preceding meeting. In Indo-China, where illicit opium selling at one-tenth of the price of licit opium was in circulation in large amount, the only way to obtain control was to push the sale of licit opium and lower the price. He entirely agreed with the French delegation on that point. It was only after control had been regained over the contraband trade that the authorities of a country could proceed to build up an effective system of Excise administration.

He had admitted that the position in Burma at the moment was that the Excise system was being threatened by the influx of contraband opium. For the moment, the authorities had kept control, but it was impossible to tell how long that position would last. In India the situation was different, owing to geographical circumstances. In that country there was no question of losing control.

He pointed out that the French draft only mentioned "opium". Opium, on the other hand, was divided by the Hague Convention into raw opium, prepared opium and medicinal opium. The word "préparé" (prepared) should be inserted before the word "opium" in the French draft.

M. SUGIMURA (Japan) was under the impression that the Conference was discussing not only the monopoly system but also the question of the retail sale of opium; that was to say, the questions dealt with in Articles 1, 2 and 3 of the British draft and Articles 1, 2, 3 and 7 of the French draft. The Japanese delegation was ready to agree, after certain formal amendments had been made, to the French draft.

The question of the form of the Agreement was of secondary importance. What was important was that the Governments should show sincerity, loyalty and energy in combating the opium evil. The Conference must succeed in concluding an international agreement. It should not endeavour to apply to other countries the system in force in one country. The question must be considered from an international and world point of view. Only in this way would a satisfactory result be achieved.

M. CLINCHANT (France) noted that all the members of the Conference were agreed that the sale of opium in opium shops should be carried out with as many guarantees as possible. In his view, all the guarantees enumerated by the British delegation were to be found in the system of controlling the retail shops in force in Indo-China. The system in force there was certainly different from that contemplated by the British delegation, but it nevertheless gave complete guarantees. Consequently, M. Clinchant was prepared, in a spirit of compromise, to amend Article 2 of the French draft Agreement as follows :

"The sale of opium to consumers is only to be effected in retail shops controlled by the administration."

In actual fact these shops were controlled by the administration; the licence granted to the keeper of the shop was only valid for a year and could be withdrawn when the time for renewal came if it could be proved that he had not fulfilled his obligations.

With regard to the proposal put forward by Mr. Campbell concerning the word "opium", the French delegation was ready to accept the phrase "raw" or "prepared" opium.

Mr. CAMPBELL (India) thought there was a misunderstanding. The duty of the Conference was merely to consider the question of opium used for smoking. The expression, therefore, to be used should be "prepared" opium, which was the same phrase as that appearing in the Hague Convention.

The PRESIDENT explained that, as far as the British proposals were concerned, a system already existed in the Dutch Indies similar to that proposed by Sir Malcolm Delevingne. The British system could, therefore, be adopted without difficulty in the Netherlands Indies where Government retail shops were already in existence. These were under the care of Government officials and it was only in those parts of the country referred to in Article 3 (b) of the British draft that no Government officials existed. Further, only three per cent of the whole amount of the sales was dealt with by private persons possessing a special licence.

As delegate of the Netherlands, therefore, the President stated that he could accept the British draft.

The delegate of Japan was quite correct in saying that the Conference was also discussing the question of the retail sale, but Article 7 of the French proposal was not yet before the Conference for discussion.

Sir Malcolm DELEVINGNE (British Empire) noted the fact that the British proposal appeared to receive the support of the Indian delegation. It represented the system already in force in the Netherlands Indies, and was in force or was about to be put into force in the British possessions. If he had understood Prince Charoon correctly, the British scheme was also in accordance with the policy which the Siamese Government intended to adopt shortly. It was also in agreement with the Japanese system if Articles 1 and 2 were taken in conjunction with Article 3 (a).

There were two points which divided the British and French proposals. The first was a mere question of drafting. The word "monopoly" was a term which might cover several different systems. If it were used in an agreement its meaning must be made as clear and precise as possible, and he considered that the English text was more precise than the French text, because it defined the meaning attached to the word "monopoly", while the French text seemed to him to be too vague and too indefinite.

The second point on which there was a difference between the two proposals was the question of the status of the retail shopkeeper. The point, however, that had been referred to in the resolution adopted by the Advisory Committee and unanimously submitted by the Council and the Assembly to the Conference for consideration was the elimination of the element of private profit. If that principle were conceded, subject to certain reservations contained in the British draft in order to meet the difficulties described by M. Kircher, the problem was then reduced to a mere matter of drafting. If, however, that principle were not accepted, then the Conference would have to reach a definite decision. He hoped, however, that the principle would be accepted. It was largely a question of administration.

Without wishing to discuss the administrative arrangements of Indo-China and the position of widows and orphans in charge of retail shops, he would have thought that it would be possible to reach some arrangement by which their position was safeguarded, while at the same time the element of private profit was eliminated. He did not understand the calculation made by M. Kircher that 200,000 shopkeepers would be required in Indo-China if the British proposal were adopted. According to the French estimate, there were only 110,000 smokers in the whole of Indo-China. 200,000 shops, therefore, appeared to him to be a somewhat excessive allowance.

Certain obvious difficulties referred to by M. Kircher undoubtedly existed. He would not deny or minimise them. On the other hand, they could be overcome in Indo-China with the same success as they were being overcome in the Netherlands Indies in which territory they had to a certain extent existed, as well as in the large territories under the control of the Government of Malaya and the Government of North Borneo.

It was clear that if the British or French proposals were adopted, sufficient time would have to be allowed to Governments to introduce any necessary legislation and to make administrative arrangements in order to bring the new system into force. He would certainly make no objection to whatever period of time the Conference considered necessary for these purposes. According to Prince Charoon, three years would be required in which to bring the new system into force in Siam. This question of the date of the entry into force of the Agreement depended upon what the different Governments considered convenient and possible, but it was to be hoped that the Conference would reach unanimous agreement on the question of the elimination of private profit, for this question had been definitely submitted to it for consideration.

M. BOURGOIS (France) said that the French delegation did not wish to re-open the discussion, which had been a long one. He proposed the following text for Article 1 of the French draft: "in countries where the use of *prepared* opium is still permitted".

M. SUGIMURA (Japan) said that he accepted the amendment proposed by the French delegation. If it were the view of the Conference, the Japanese delegate would also accept the amendment regarding Article 2 of the French scheme: "the sale to consumers is only to be effected in retail shops controlled by the administration".

With regard to Article 7, he would not press his objection. He had only referred to it because M. Clinchant had himself raised the matter.

With regard to the retail sale, thanks to M. Kircher's explanations, the principle had once more been defined and the Conference could be re-assured. Although the systems in use differed, the control exercised by Governments was in existence everywhere. The Conference had, however, met in order to discuss and define a system which could be adopted by everyone.

There remained only the question of drafting. The Japanese delegation was not ready to accept a text which would allow too many exceptions to be made and thus destroy the value of the principle which had been established. Nevertheless, the Conference could be assured that, on the principles underlying the question, the British and French delegations were in agreement. Perhaps they might arrive at a compromise after a private conversation and submit the result to the Conference at the following meeting.

M. BOURGOIS (France) thought that it was merely a question of words. The Conference desired guarantees. Sir Malcolm Delevingne, in order to obtain these guarantees, preferred the system of officials. The French delegation preferred the system of controlled agents appointed by the administration and capable of being dismissed at the end of each year. The guarantee was the same.

The same system was in existence in France with regard to the sale of tobacco. No officials were employed, but the sales were carried out by authorised agents of the State.

Sir Malcolm DELEVINGNE (British Empire) did not think it was merely a question of guarantee. The Conference was aiming at the limitation of sales, that was to say, the restriction of sales to the lowest possible amounts. It was possible to obtain every kind of guarantee to ensure the correctness of the accounts, the honesty of the retail shopkeepers, etc., but this would not have any restrictive effect on the sales of opium any more than the Tobacco Regie and the supervision of Government officials over the retail shops had any restrictive effect on the sales of cigarettes or tobacco. It was important, therefore, that the retail shopkeeper should have no inducement to push his sales of opium.

M. KIRCHER (France) said the French authorities in Indo-China had decided not only to reduce but also completely to abolish the use of opium. It was for this reason that the French Government did not wish to assume undertakings which it was not absolutely certain of being able to keep and which might run counter to the desired object. Too great a restriction in the number of retail shops would infallibly result, owing to the increase in the quantity of illicit opium which was already to be found in Indo-China, not only in a recrudescence of opium smoking but also in an increase in individual smoking. At the moment, it was impossible to contemplate removing the retail shops existing in the Annamite villages, for it was by means of these shops that the consumption of opium was regulated.

It was obvious that if there were only a small number of shops in a large country and if the shop was situated 100 or 200 kilometres away from the residence of the consumer, as was the case in a certain neighbouring country, the consumer would not trouble to go the 100 or 200 kilometres which were necessary in order to purchase the few grammes of opium he desired to smoke.

M. Kircher had been concerned with this question for thirteen years and he was firmly convinced that if the number of opium shops were reduced, for example, from 200 to 150, the consumers would merely have recourse to smugglers, who would push their wares and sell as much opium to the consumer as he wished and at a price defying all competition, so that he would be able to obtain enormous quantities.

He would then induce others to consume opium, for all opium smokers were propagandists of their vice. This was a phenomenon to which reference had not been made but which was very real. The French authorities desired to check this propaganda. The evil existed, but the French authorities desired to destroy it by destroying its roots, that was to say, by causing the gradual disappearance of all smokers, both those who smoked smuggled opium and those who smoked licit opium. It was for this reason that they could not agree to a proposal that officials should sell opium in retail shops.

Even in the great cities where opium abounded and where several Government shops existed in which opium was sold by officials, contraband opium was smoked in enormous quantities. It was an illusion to think that if the number of shops were reduced the number of smokers would be reduced. Europeans and the higher castes would not go to the Government retail shops when these were kept by officials for they would not desire the fact that they smoked opium to be known. They would, therefore, have recourse to smuggled opium in increasing quantities.

M. SZE (China) said that he was in the very fortunate position of being able to say something in regard to a question behind which there were no private interests. He had followed with the greatest interest the different statements made by various delegations at the preceding meeting and he was ready to believe that all the members of the Conference were actuated by motives to do something for the "cause", that was to say, for

the early suppression of the opium evil. This was fully in accordance with the wishes of the Advisory Committee and with the resolutions adopted by the Council and the Assembly, as a result of which the Conference had been summoned.

He thought that Sir Malcolm Delevingne had seen the problem in its true light. Sir Malcolm Delevingne had said that the most important point was to restrict the sales of opium and M. Sze agreed. No matter whether a complete or a semi-complete Government monopoly were established, the important point was to restrict the sales. It was essential that the amount of opium consumed every year should grow less and less and that the number of addicts should diminish. This could be achieved both by preventing those who were not addicts from becoming addicts and as regards the addicts themselves, by reducing the amount of opium they consumed or by curing the habit by medical means.

With regard to the statements made by the French delegation, M. Sze desired the Conference to understand that he wished to ask a question so as to obtain information and that he did not desire to make any criticism. If he had properly understood the French delegate, he had said that it would be impossible to erect a building in every district for the purpose of supplying opium. That difficulty could easily, in the view of M. Sze, be overcome. Every country, for example, had a postal system, and even in countries not vastly populated post offices existed. At any rate, this was the case in China. Even in large cities where one post office was not sufficient there were a number of branch offices, but the Government did not in every case find itself under the necessity of building a house for such post offices, especially in rural districts. So likewise, in the case of the retail sale of opium, it would not be necessary, in many cases, for the Government to provide special buildings.

He thought that the discussion had now reached a point where it would be possible to come to an agreement. He therefore begged leave to propose a formula which he thought would meet the views of the French, British and other delegations. The formula was as follows :

“The importation of raw opium and the manufacture and sale of prepared opium shall be under effective Governmental control. To the extent that is practically possible, this control shall be directly exercised by governmental officials rather than by police or administrative supervision over private persons or establishments; in any event, the persons employed or licensed by the Government shall receive fixed salaries and not commissions upon sales. In no case shall the farming system be sanctioned”.

He felt, however, that no one would suppose that in proposing this formula he had been actuated by any private motives. He had been actuated entirely by humanitarian motives. He was not an authority on monopolies. China was not interested in them and therefore his formula might not be complete. If any delegation wished to add anything to it, it was entirely at liberty to do so. He had only intervened at this stage of the discussion because he had thought that sufficient progress had been made, and as an “outsider”, representing a country which was not interested, he thought he might be able to make a suggestion which would be acceptable to all.

M. CLINCHANT (France) thanked the Japanese delegation for its proposal. He was quite willing to get into touch with Sir Malcolm Delevingne and discuss a draft which would meet the views of that delegation.

THIRTEENTH MEETING

Held at Geneva on Friday, November 14th, 1924, at 3.30 p.m.

President : M. van WETTUM (Netherlands).

21. Consideration of the Measures which can be taken to carry out more effectively the Policy embodied in Chapter II of the Opium Convention of 1912 of gradually Suppressing the Use of Opium for Smoking, and the Preparation of a Convention to embody the Measures which may be agreed upon by the Conference : Items II (b) and (c) of the Agenda : Consideration of Draft Agreements (Annexes 10 and 11) (*Continuation of the discussion*).

Articles 1, 2 and 3 of the British Draft Agreement and Articles 1, 2, 3 and 7 of the French Draft Agreement.

The PRESIDENT informed the Conference that no agreement had as yet been reached between the British and French delegates regarding the above articles. He suggested therefore that the Conference should pass to an examination of the other articles in the two drafts. The suggestion made by the Chinese delegate at the previous meeting would also be adjourned.

M. SZE (China) said, in order to avoid any misunderstanding, that the suggestion of the Chinese delegate did not constitute a proposal, but was simply intended as a formula calculated to bring into agreement the French and British proposals. He ventured to make

this explanation, because the Conference must not suppose that the delegate of China was acting as the advocate of a Government monopoly.

The Question of Minors : Articles 4 and 6 of the French Draft Agreement : Article 7 of the British Draft : The Japanese Proposal.

M. SUGIMURA (Japan) proposed to suppress from Article 6 of the French draft the reference to Europeans and women. There was no reason to make a distinction between the nationals of the European countries and, for example, the Japanese, nor was there any reason for placing women in a position inferior to that of men. As regards minors, the Japanese delegation was presenting an independent draft absolutely prohibiting minors from using opium. The draft was as follows : "The Contracting Powers shall prohibit the smoking of opium to minors".

The Japanese delegation was in favour of the total suppression of the use of opium, and made an exception only in the case of incurable addicts. When these unfortunate people had died, there would be a complete disappearance of the evil. If this system was to give the desired results, it was necessary to take the most energetic measures in order to prevent other persons from forming the habit, and, above all, minors. It must not be forgotten that the hope of the future was in the youth of the country.

The PRESIDENT informed the Conference that the French delegation withdrew the reference to Europeans in Article 6 of its draft.

M. SZE (China) noted with pleasure the suppression of this reference. It was to be regretted that such a distinction should have ever been hinted in a Conference held under the auspices of the League, especially as the people of the Far East would follow the work of the Conference very closely. He was happy to deduce from the fact that this expression had been so promptly withdrawn that there was no intention of making a discrimination offensive to Asiatics.

Sir Malcolm DELEIVINGNE (British Empire) said he entirely approved of Article 4 of the French draft. He had himself raised the question in the Committee, and if the British text made no mention of the sale of opium to minors, this was because he had understood that certain difficulties were felt by other delegations in regard to that proposal. As, however, the proposal now seemed to meet with general approval, he was glad to accept it on behalf of the British Government.

The same situation had arisen in the Committee in regard to the admission of women to divans. So far as the British possessions were concerned, women were not admitted to public divans. He accordingly also accepted this proposal of the French delegation.

Mr. CAMPBELL (India) said he was glad that the word "European" had now been withdrawn, as the delegation of India could not have accepted its inclusion.

As regarded Article 4 of the French draft, it was difficult, from the administrative point of view, to prove a sale, but it was comparatively easy to prove possession. He accordingly asked the French delegation whether it would agree to add to the article a reference to the possession of opium.

M. SUGIMURA (Japan) accepted this proposal, which tended more surely to attain the object desired by the Japanese delegation. On the other hand, he insisted that there should be no discrimination between men and women. Such a discrimination on the part of a Conference like the present would arouse protests throughout the world. It would be an injustice to permit men to smoke and to prohibit women from smoking.

M. CLINCHANT (France) said he willingly accepted the suggestion of the Indian delegate, while thinking perhaps that it was easier to prove the offence at the time of sale than when it was simply a case of possession.

As regards the prohibition of smoking in divans by women, the French delegation had asked for it for reasons of decency. Women might smoke at home, but should not be allowed to enter divans frequented by men.

Prince CHAROON (Siam) said he was in sympathy with the ideas which had been expressed in regard to the prohibition affecting minors and women. In Siam, unfortunately, there were smokers who belonged to both categories.

The PRESIDENT said that in the Netherlands Indies access to divans was prohibited to women. There were, moreover, very few women smokers in the Netherlands Indies.

As regards Article 4, he thought it preferable to refer only to the sale of opium, as it seemed impossible to prohibit the possession of opium by a child. How was it to be decided that the child had not obtained the opium from its father ?

M. SUGIMURA (Japan) insisted that the word "possession" should be inserted. Experience showed that the Japanese law prohibiting minors from the use of alcohol and tobacco had been perfectly carried out. There would be no practical difficulty if public opinion were enlightened and sincere.

As regards the question of women, he thought that, after the admirable declaration of the rights of men by France, it would be well now to proclaim the rights of women.

M. SZE (China) noted that no allusion had been made either in the French draft or in the British draft to the admission to divans of smokers who were not addicts. Had smokers of this category right of access in countries where the system of public divans existed ?

M. CLINCHANT (France), replying to the Japanese delegate, thanked him for recalling the great memories of the French Revolution, but he considered it would not be possible to modify the French view of the question and he thought that all women would approve of the prohibition already imposed on women in the French possessions of the Far East, who were not allowed to enter divans frequented by men.

Referring to the remark of the Siamese delegate, he would observe that it was probable that child smokers were not inveterate smokers or addicts, and that it would be possible to cure them of their evil habit by prohibiting them from entering the divans.

The PRESIDENT, replying to the question raised by the Chinese delegate, explained that in the Netherlands Indies persons entering a divan must bring their opium, which they had been obliged to purchase themselves in a Government shop.

Sir Malcolm DELEIVINGNE (British Empire) said that there were no divans in Hong-Kong. In Malaya, where there were divans, women were not allowed to enter them, and if a male entered them, it was impossible to distinguish whether he went there to smoke or not.

M. SZE (China) explained that the object of the Conference was to arrive at a more effective application of Article 6 of the Hague Convention. It would, therefore, be well to prohibit non-addicts from entering the divans, where they were exposed to the temptation of acquiring this evil habit. This question might be raised when the subject of licences was being discussed.

With regard to women, he thought that it was not advisable to make any discrimination to their detriment.

In reply to a further question from the British delegate, he said he did not contemplate either the admission of women into public divans nor the creation of private divans for women.

M. CLINCHANT (France), while maintaining his point of view on the question of decency, said he agreed to suppress from Article 6 the prohibition laid upon women not to enter the public divans.

M. SUGIMURA (Japan) thanked the French delegate.

The PRESIDENT reminded the Conference of his previous declarations on the position in the Netherlands Indies in regard to minors, and asked the Japanese delegate whether it was not possible to yield upon this point.

M. SUGIMURA (Japan), in a spirit of conciliation, said he would not press the point.

The PRESIDENT noted that the Conference was agreed in prohibiting the sale of opium to minors and the admission of minors into public divans.

Sir Malcolm DELEIVINGNE (British Empire) said that he was sorry that the French delegation had withdrawn its proposal in regard to the admission of women to the divans. All the members of the Conference had admitted that the admission of women to the public divans was undesirable. Moreover, it was not being proposed that women should be prevented from smoking, so that the question of equality as between men and women did not arise.

M. CLINCHANT (France) said that he had withdrawn the proposal in a spirit of conciliation, but that in French Indo-China women would continue to be prohibited from entering the divans.

M. SUGIMURA (Japan) hoped that the British delegate would continue to show the spirit of conciliation of which he had already given much proof. Doubtless in Formosa admission to the divans was not permitted to women, but a question of principle was at stake. It was impossible that such a discrimination should be drawn at Geneva, where everyone knew with what devotion women were dealing with the opium question.

M. CHU (China) admitted that women should be prevented from entering the divans, but only on condition that the same prohibition applied to men; in other words, the divan should be entirely suppressed. Experience in China, when the use of opium for smoking was authorised, had shown that the frequenters of the divans were recruited from among the dregs of the population. The divans could only be justified in countries where opium smoking was prohibited at home. Only licensed smokers should be authorised to enter the divans.

It was useless to make a discrimination in the treatment of women and children, as authorisation could only be given to inveterate smokers. So long as the system of rationing and licences was not in force, the system of divans represented a new temptation to contract the opium habit.

Sir Malcolm DELEIVINGNE (British Empire) proposed that the President should put to the vote the question of the maintenance in Article 6 of the French text of the prohibition concerning women.

The PRESIDENT asked whether it was advisable to proceed to a vote which risked dividing the Conference into a majority and minority.

M. FERREIRA (Portugal) said that he associated himself with the proposal to suppress the word "women".

Following an exchange of views between M. SUGIMURA (Japan) and Sir Malcolm DELEIVINGNE (British Empire), M. CLINCHANT (France) said again that he was prepared to agree to the suppression of the word "women" in Article 6 of the French draft. He would, however, again assert that the prohibition in respect of women would be maintained in French Indo-China.

Sir Malcolm DELEIVINGNE (British Empire) made a similar declaration. He did not insist on the maintenance of the word "women", but it was understood that women would not be admitted into divans which existed in British territory.

The PRESIDENT noted that the Conference was in agreement as to the prohibition of the sale of opium to minors and the admission of minors into divans. He would add for the benefit of the Drafting Committee that in the final text it would be advisable to replace in the English text the word "den" by the word "divan", as in all the countries these establishments were under the control of the Government.

Dross : Article 8 of the French Draft Agreement and Article 6 of the British Draft.

Sir Malcolm DELEIVINGNE (British Empire) asked leave to explain why, in the British text, the words "except to the monopoly" had been inserted. One of the methods employed in the British possessions to prevent the consumption or sale of dross consisted in buying back the dross from the smokers or from the divans. He did not think that the French delegate would raise any objection to this provision.

M. SUGIMURA (Japan) said he accepted the British draft, although the question was not of great importance as regards Formosa.

Mr. CAMPBELL (India) proposed, as he had previously done, to extend the prohibition to cover the possession of dross. In Burma, any person unlawfully in possession of dross was liable to penalties.

Prince CHAROON (Siam) said he would like to make a reservation on the subject of dross on behalf of the Siamese Government. In Siam, dross was regarded in exactly the same way as prepared opium. This had the advantage of ensuring that dross was only consumed by inveterate smokers. When the system of registration came into force the consumers of dross would also be registered, and, as they gradually disappeared, the consumption of dross would come to an end. The Siamese Government had carefully studied the question and had arrived at the conclusion that in the present conditions prevailing in Siam any attempt to recover the dross would be ineffective, apart from the heavy expenditure which it would entail.

There was first the difficulty of collecting the dross. Smokers would endeavour to conceal the possession of dross as much as possible, and the officials, who would have to be very numerous and not very well paid, would run the risk of yielding to the same temptation. He would, moreover, raise the question of the composition of dross. The official chemist, M. Marcan, had stated that if the Government collected the dross its service would be entirely occupied in analysing it in order to ensure that it had not been tampered with. Finally, it must be noted that, as the consumption in the country included dross as well as opium, the application of the proposed measures would oblige Siam to increase the estimate of her annual needs in raw opium in order to prevent the entry into the country of illicit opium.

M. CLINCHANT (France) said that, in view of the observations made by the Siamese delegate, he was prepared to withdraw Article 8 of the French draft. If this article, however, were maintained, he wished that the word "traffic" might be used instead of the word "sale", which appeared in the British draft, as the word "traffic" included both purchase and sale. In regard to the suggestion of the Indian delegate, he did not think it possible to prohibit the possession of dross. When a smoker was found to be in possession of dross, how was it possible to know whether this substance was not going to be sold to the monopoly ?

Mr. CAMPBELL (India) explained that in Burma any unauthorised person found in possession of dross was liable to a penalty. In reply to a further question by the French delegate, he explained that, if a smoker sent his wife or child to take the dross to the monopoly, "possession" of the dross would, he thought, still remain with the real owner as a matter of law.

M. CLINCHANT (France) thought that the Siamese delegation might perhaps accept the prohibition of traffic in dross, since he had explained that the opium-smoker smoked his own dross.

Prince CHAROON (Siam) pointed out that dross could only be sold by licensed vendors.

Sir Malcolm DELEIVINGNE (British Empire) said that the provisions concerning dross contained in the French and British drafts were justified by the fact that the consumption of dross was much more dangerous than the consumption of prepared opium. He read a passage to this effect from the report presented by the Malaya Committee.

Prince CHAROON (Siam) said that he would be content to make a reservation on this point on behalf of Siam.

Sir Malcolm DELEIVINGNE (British Empire) accepted the proposal of the French delegate to substitute the word "traffic" for the word "sale".

The PRESIDENT said that the word "traffic", which was contained in the Convention, had given rise to controversies in the Opium Advisory Committee. It would therefore be preferable to substitute the words "purchase and sale".

Opium Divans : Article 5, Paragraph 2, of the British Draft Agreement and Article 5 of the French Draft.

M. SUGIMURA (Japan) said that the Japanese delegation would accept either text, as they merely differed in wording.

The PRESIDENT pointed out that, according to the French draft, the number of public opium dens must not be increased, whereas the British draft laid down that, if smoking divans were permitted, the number must be limited to the smallest number compatible with administrative requirements and the reasonable convenience of the consumers. He could only accept the British text. In the Netherlands Indies, where the number of divans had been reduced from 160 in 1914 to 59, it might become necessary to grant a licence for another divan in certain large centres of the population. This measure would not be in conformity with the French text.

M. SUGIMURA (Japan) hoped that it would be possible to find a formula of agreement. He thought, nevertheless, that it was right not to increase the number of divans but rather to encourage the tendency towards their diminution.

M. CLINCHANT (France) said that he associated himself with the British text, it being understood that the provision concerning the number of divans would be the subject of a distinct article beginning with the words "If smoking divans are permitted". The French draft was more restrictive. The measure contemplated in the French draft would be maintained in Indo-China.

M. SUGIMURA (Japan) said that, in a spirit of conciliation, he would agree with the French delegate. He thought it was necessary to act gradually and progressively, with a view to the suppression of opium, and to take all possible measures to decrease not only the consumption but also the number of divans.

Article 5 of the English text was adopted, from the words "If smoking divans are permitted".

Contraband : Articles 10 and 11 of the French Draft Agreement and Article 9 of the British Draft.

M. SUGIMURA (Japan) noted that this question was of primary importance. He hoped that the British and French delegations would agree on a single text.

M. CLINCHANT (France) said he was disposed to come to an understanding with the British delegation and draft a single text for the articles relating to contraband.

The PRESIDENT said he could not accept the words "increasingly severe" (Article 10 of the French draft), which would require the Netherlands administration to undertake the impossible, as existing provisions in the Netherlands Indies were already extremely severe.

M. SUGIMURA (Japan) thought that these measures might be made still more severe.

Sir Malcolm DELEIVINGNE (British Empire) said he agreed that the French and British delegations should try to arrive at an agreed text for Articles 10 and 11 of the French draft and Article 9 of the British draft.

Propaganda : Article 9 of the French Draft Agreement and Article 5, Paragraph 1, of the British Draft.

M. SUGIMURA (Japan) said that he would accept either draft.

Mr. CAMPBELL (India) said that this question had often been discussed in the Advisory Committee. Experience did not encourage the belief that official propaganda would be successful in the East. On the contrary, there were numerous specific instances, as, for example, when plague broke out in India, showing that the population only consented to take measures to protect themselves against the epidemic when the Government abandoned propaganda and compulsory measures. Official propaganda in regard to opium would do more harm than good in India, and he did not think his Government would be able to accept a provision presented in an obligatory form.

M. SZE (China) said that China could not be included among the countries of the East where propaganda would be harmful, as the Indian delegate had suggested. The term "propaganda" might give rise to a wrong impression. The kind of propaganda contemplated in the drafts would be very useful, and the utmost possible would be done in China in order to educate the people and to instruct them as to the evils caused by opium and its derivatives.

M. SUGIMURA (Japan) thought that good propaganda was the most effective means of enlightening the public. In the struggle against opium, the development of the public conscience must constitute the most potent factor. Perhaps, however, it would be possible to replace the word "propaganda" by a more appropriate expression.

M. CLINCHANT (France) insisted on the maintenance of the provisions contained in the French and British drafts. He believed in the usefulness of propaganda which could not in the Far East produce results contrary to those which were obtained everywhere else. If propaganda was badly conducted it should be changed. He would suggest that the text should refer to suitable propaganda.

Mr. CAMPBELL (India) said that this was not merely a question of words. Propaganda in any form was not, in his opinion, a suitable weapon to employ in India. Persons who had conducted propaganda in that country were of the highest competence and nevertheless their efforts had failed. In these circumstances, it was not possible to impose on the Government of India the use of a method which it considered was going to do more harm than good. If the text was maintained, he would be obliged to make a formal reserve on behalf of his Government.

M. SZE (China) suggested that the words "except in India" should be added to the draft.

The PRESIDENT said that the English draft corresponded with what was actually being done in the Netherlands Indies. On the other hand, he could not accept the French text which recommended propaganda in barracks, for the soldiers were not licensed to smoke opium. As the Government had a monopoly, it was to be feared that official propaganda would be open to suspicion. From this point of view he agreed with the Indian delegate. He did not, moreover, approve the reference in the French draft to "improving the material and moral position of the working classes". It was the duty of every Government to improve the position of all classes of the population, and such an expression was not appropriate in a Convention concerning prepared opium.

Mr. CAMPBELL (India) said he would suggest the following amendment to the text of Article 5 of the British draft: "The Governments of the Possessions and Territories shall use their utmost efforts where this appears to them likely to produce useful results", etc.

M. SUGIMURA (Japan) approved this amendment for reasons which were not, however, the same as those advanced by the Indian delegate. Propaganda was of no use in Formosa, where everything necessary had already been done and where hardly any addicts now remained except those who were incurable.

Mr. CAMPBELL (India) said that, as the use of opium for smoking was not prevalent in India, propaganda in that country appeared to be useless. In Burma, moreover, out of a population of 13 million inhabitants, only 3,500 Burmese consumers and 20,000 Chinese smokers were registered.

The PRESIDENT asked the Conference whether it was not possible to accept the draft proposed by the Indian delegate.

M. SZE (China) said that there was no question of imposing a measure on any country which did not think that it ought to accept it. He would remind the Conference of his previous suggestion that India should be excepted from this provision. The object of the Conference was to secure a more effective application of Article 6 of the Hague Convention. To reduce the scope of instruction in the schools and the other measures proposed in the French and British drafts would cause a deplorable impression among the public. Whatever text was adopted by the Conference, it must be clearly understood that the Chinese delegation was in favour of adopting the British and French proposals without weakening their force in any way.

Sir Malcolm DELEIVINGNE (British Empire) said that the articles in question had given rise to criticisms of principle and criticisms of detail. It was first necessary to settle the question of principle. It was clearly impossible to ask a country to undertake a propaganda which it felt to be undesirable. It was therefore advisable, however regrettable this might seem, to modify the French or British draft. He did not, however, altogether like the present form of the amendment proposed by the Indian delegate. He would prefer to express the idea that the Governments should bind themselves to undertake propaganda unless, in view of the local conditions in their territories, they considered it undesirable to do so. Such an amendment would meet the point of view of the Indian delegate, and any reservation in regard to the article might be avoided. Reservations were always to be regretted in an International Convention.

The amendment he had suggested would also meet the views of the Japanese delegate as regards Formosa, and the Japanese Government would probably make no objection so far as its territory in Kwangtung was concerned. The text would then read as follows : "The Governments of the Possessions and Territories shall, unless the Government considers such measures to be undesirable under the conditions existing in its territory, use their ut most efforts", etc.

Mr. CAMPBELL (India) accepted this draft.

M. CLINCHANT (France) also accepted the formula proposed by the British delegate.

M. SZE (China) reminded the Conference that the Indian delegate had alluded to Chinese smokers in Burma. Did the Indian delegate see any objection to the Chinese societies conducting propaganda among these smokers concerning the harmful effect of opium ? Possibly the British Indian Government would find the Chinese in Burma more receptive of Government advice.

Mr. CAMPBELL (India) said he did not know how such a proposal would be received by the Government of Burma. Such an arrangement could only be made on a reciprocal basis.

M. SZE (China) said that he would gladly accept Mr. Campbell's condition. China would welcome missionaries from Burma to preach the evils resulting from the misuse of opium.

The text proposed by the British delegate was unanimously adopted.

Article 8 of the British Draft Agreement.

M. SUGIMURA (Japan) proposed to discuss Article 8 of the British draft.

The PRESIDENT thought that this article would give rise to a long discussion and that it would be preferable to adjourn the debate.

M. SUGIMURA (Japan) thought that the British text should be re-drafted so as to take account of the different national legal organisations.

The question whether the debate should be adjourned gave rise to a prolonged exchange of views between the members of the Conference.

On the proposal of M. CLINCHANT (France) and after observations from Sir Malcolm DELEIVINGNE (British Empire), M. SZE (China), M. BOURGOIS (France) and M. SUGIMURA (Japan), *it was agreed* that the discussion should be adjourned and that the Japanese delegate should assist the British and French delegates in their efforts to draft a single text on the points concerning which an agreement had not yet been reached between the two delegations.

FOURTEENTH MEETING

Held at Geneva on Saturday, November 15th, 1924, at 10.30 a.m.

President : M. van WETTUM (Netherlands).

22. **Activities of the National Anti-Opium Association at Shanghai: Letter from the Chinese Delegation.**

M. SZE (China) read a letter containing information which he had received from the National Anti-Opium Association at Shanghai (Annex 11).

23. **Consideration of the Measures which can be taken to carry out more effectively the Policy embodied in Chapter II of the Convention of 1912, of gradually suppressing the Use of Opium for Smoking, and the Preparation of a Convention to embody the Measures which may be agreed upon by the Conference : Items II (b) and (c) of the Agenda: Consideration of Draft Agreements (continuation of the discussion).**

Article 8 of the British Draft.

The PRESIDENT recalled the fact that at the end of the preceding meeting the Conference had begun to discuss Article 8 of the British draft Agreement. He understood that it had been agreed to amend the article in the manner proposed by the Japanese delegate.

Sir Malcolm DELEIVINGNE (British Empire) said that the Japanese delegation had proposed that the article should be drafted as follows :

“The Government of each of the possessions or territories shall take steps”, etc.

He accepted this amendment.

The PRESIDENT pointed out that the Conference could not say “Governments shall take steps”. It would be the Parliaments which would take these steps.

Sir Malcolm DELEIVINGNE (British Empire) pointed out that the Agreement after it was concluded would require to be ratified by the Governments. The usual procedure in Great Britain was as follows: The Government, before ratifying a Convention, submitted to Parliament any legislation which might be necessary in order to give effect to it. If Parliament rejected the proposals, the Convention would not be ratified. If Parliament approved the proposals and passed the necessary legislation, the Government would then be able to ratify the Convention. Consequently, the draft proposed by Sir Malcolm Delevingne would encounter no difficulties in Great Britain. If the procedure were different in other countries and ratification came before legislation, some amendment would be desirable. The question could be left to the Drafting Committee, which would arrive at a satisfactory agreement with the assistance of legal experts.

Article 8 was referred to the Drafting Committee.

Opium Smuggling and the Number of Opium Consumers: Article 12 of the French Draft.

Sir Malcolm DELEIVINGNE (British Empire) explained that he had not inserted such an article in his draft because he had understood that the Conference had desired that it should figure as a recommendation and not as an article in the Convention. He was quite prepared to agree that the new article should be inserted in the Convention and he seconded the French proposal.

M. SUGIMURA (Japan) also accepted the French text of Article 12. As far as Japan was concerned, that country could already give exact figures for consumption for each year.

The Conference adopted in principle Article 12 of the French draft for insertion in the Convention. It was understood that the final form of this article would be drawn up by the Drafting Committee.

The System of Registration and Rationing.

M. SUGIMURA (Japan) submitted the following proposal:

“The Conference, considering that the system of registration and licensing of the habitual opium-smokers and of rationing the quantity for their daily consumption is the most effective method, together with the system of Government monopoly, by which the gradual and complete suppression of the use of prepared opium can be brought about,

“Recommends to the respective Governments represented at the Opium Conference to adopt these measures.

“Those Powers, however, which are not ready to adopt these measures immediately shall introduce the system as soon as the circumstances permit.”

M. Sugimura then read an explanatory statement (Annex 12).

Sir Malcolm DELEIVINGNE (British Empire) submitted a draft recommendation in the following terms:

“The Conference expresses the view that the method of licensing (or registration) and rationing is the most efficacious, if not the only, method—short of prohibition—by which the suppression of the use of prepared opium can be brought about, and recommends that the Governments should keep constantly in view the possibility of adopting those measures and should, in the meantime, take such preliminary measures as may be possible with a view to preparing the way for their introduction as soon as circumstances permit.”

He explained that the Advisory Committee had, on his proposal, suggested certain measures for consideration by the Conference, with a view to the more effective application of Chapter II of the Hague Convention.

The first of those measures had been the principle of rationing; the second that the Governments concerned should thoroughly explore the possibility of introducing a system of registration. The Advisory Committee had placed these two proposals on a somewhat different footing. The suggestions of the Advisory Committee had been examined, at the request of the Imperial Government, by the local governments. Important committees, on which Chinese members had served, had been appointed at Hong-Kong and in Malaya.

The question of rationing was conditioned at the moment by the question of the contraband trade, and the British authorities had reached the conclusion that, at the moment when the British colonies were being flooded with illicit opium in quantities

which, in the case of Hong-Kong, were at least equal to, if they did not exceed, the actual amounts of opium placed on sale by the Government, and which, in the case of Malaya, though they did not reach the same high figures, were very considerable, those Governments could not be asked to undertake to give effect to the principle of rationing at present, for reasons which were obvious. A system of rationing of the Government supplies, when such large amounts of illicit opium were available, would only lead to an increase in the illicit trade, and would in effect produce no useful result.

In the case of registration, the position was somewhat different in Hong-Kong as compared with the other territories under the jurisdiction of the British Government. In Hong-Kong, there was a large floating population. A large number of Chinese entered the colony daily, and, in the opinion of the local government, it was very doubtful whether a system of registration would ever be possible in those circumstances. When circumstances permitted, it would probably be easier for the local government to abolish entirely the whole traffic rather than to proceed to the adoption of a system of registration and rationing.

In the case of Malaya, which was far more remote from the mainland of China, and where circumstances were somewhat simpler, the Committee which had enquired into the matter had come to the conclusion that a system of registration and rationing was the only method short of prohibition by which the gradual and effective suppression of the use of prepared opium could be brought about. While in existing conditions the Government of Malaya thought it impossible at the moment to introduce the system, they were prepared to move towards it by a series of measures which were contained in the report laid before the Conference.

The British Government was of opinion that a system of registration and rationing was the only method short of prohibition by which a gradual and effective suppression of the use of prepared opium could be brought about. In the territory of Sarawak, where the conditions were more favourable, perhaps, than in any other territory under British jurisdiction, the Government of Sarawak had already decided to introduce a system of registration.

In these circumstances, the British delegation, while unable to accept the resolution proposed by the Japanese delegation as it stood, thought it would be useful if the Conference could express some opinion on the subject. He had therefore drafted his proposal, not for insertion in the Convention, but as a recommendation which the Conference could accept in principle. He was willing to modify it by the insertion of the words "so far proposed" after "method". Experience might show that other methods might prove more effective.

Sir Malcolm Delevingne requested the Conference to adopt his text in place of the Japanese text. He thought it would have a useful effect, because it suggested to the Governments that they should keep continually in view the possibility of adopting this system, and should adopt preparatory measures such as those which were mentioned in the report of the Malaya Committee.

The proposal which he had made should not, he thought, be voted upon, but if it were supported by the majority of the Conference, it could be annexed to the Convention in the form of a recommendation, to be signed, if necessary, by those delegations which saw their way to adopt it.

M. SUGIMURA (Japan) said that the difference between the text submitted by the British delegation and his own was not great. Both were mere recommendations and only differed in points of drafting. The importance of the question lay in its principle, upon which they were both agreed. He therefore supported the British draft.

M. CLINCHANT (France) was of the opinion that the British amendment went too far, for the French delegation thought that the method of rationing and registration could not be called the most effective.

He therefore proposed the following amendment to the British draft :

"The Conference draws the attention of the Contracting Powers to the results which have been obtained in certain countries in the Far East by the application of the method of licences (or of registration) and of rationing."

In this manner the Conference would not go further than to draw the attention of Governments to the results obtained in certain countries in the Far East.

M. SZE (China) said that he was very disappointed by the statement made by Sir Malcolm Delevingne. The position of the British delegate had been gradually weakening. If the Conference referred to the Minutes of the fifth session of the Advisory Committee, it would find on page 64 that Sir Malcolm Delevingne had said :

"In his opinion, the present situation in China, far from being a reason for remaining inactive, called for strong action on the part of the Powers with Far Eastern possessions, which should meet and devise measures for strengthening the control of the traffic in opium."

On page 55 of the Minutes of the same session he had said :

"The easiest and most effective method of carrying out such an arrangement would be by means of a system of licensing and registration."

He had also said :

“He would like to see a system established whereby the amount of opium to be purchased would be stipulated on the licence. Complete control could be obtained by such a system and the maximum consumption could be definitely fixed, and progressively reduced, in accordance with the provisions of the Convention.”

Sir Malcolm Delevingne had dwelt at the present meeting, as had other members of the Conference on other occasions, on the fact that no active measures could be taken owing to the situation in neighbouring countries. M. Sze would therefore take the opportunity of answering a question which Mr. Campbell had put to him on a previous occasion. This question had related to the production of 15,000 tons of opium in China.

Mr. Campbell had himself mentioned this figure of 15,000 tons during the first two or three days of the Conference. On subsequent occasions he had been vague in his statements and had not quoted this figure, but at the previous meeting, when M. Sze had asked him whether literature for the Chinese in Burma could be sent in order to educate them and point out to them the evil of opium, Mr. Campbell had again quoted the figure of 15,000 tons. M. Sze would therefore be compelled to reply at some length.

The figure of 15,000 tons had been given in a pamphlet issued by the International Anti-Opium Association of Peking, the members of which were mostly English and Chinese. The *Bulletin* of that Association, however, in which the figure appeared, stated that the figures were given “without comment”, and that they had been obtained from missionaries, Chinese newspapers and other Chinese sources. The International Anti-Opium Association was an organisation of responsible persons, and when it quoted figures without comment it should convey at once to the careful reader the impression that there was some doubt in the mind of the Association as to the accuracy of the figures.

With regard to the sources of the information, no fault was to be found with missionaries, but the Conference should know how the missionaries obtained their information. The cultivation of opium, which was illegal under Chinese law, chiefly took place in two provinces—Yunnan and Szechuan. These were a considerable distance away from the chief centres and it took a certain time for the opium to pass from those provinces to the places where it could be consumed, sold or exported. In every district through which the opium passed on its way down from the interior of Szechuan, there were very good and conscientious missionaries. As soon as they heard that a certain amount of opium was passing through, they naturally made a note of it and reported it at once, as they considered it their duty to do, to the Anti-Opium Association in Peking, in order to help China to put down the opium evil. From the interior of Szechuan or Yunnan, however, to Shanghai was a considerable distance, and in every district through which the opium passed there was a rumour of its passage. Each missionary took note of the rumour and reported it. By the time the opium from Szechuan or Yunnan reached Shanghai many reports had been made, so that the figures given to Peking had been multiplied a large number of times.

Reference had also been made to the Chinese newspapers and “other Chinese sources”. Newspapers were, on the whole, satisfactory, but they differed in quality. Some were anxious to give the true facts and some of them printed news which was not entirely accurate. The Conference had had experience of this.

Newspapers were sometimes owned by parties, and in China, where Western methods of government were being adopted, parties were being formed which attacked each other with vigour. It was therefore necessary to read Chinese newspapers with the same care as American or European newspapers when they attacked the parties which did not own the newspaper.

There were people in China who desired to create prejudices and who set on foot stories and rumours. There were also Chinese in China, as was the case with foreigners elsewhere, who were financially interested in the opium traffic and who desired that traffic to continue. This they could only bring about by making up a large number of stories so that other Powers might innocently quote them as being true and thus have an excuse for not adopting any measures in their own countries. Sir Malcolm Delevingne, however, had stated two years previously that the cultivation of the poppy in China ought not to be taken by the other Powers as an excuse for doing nothing in their own territories.

M. Sze stated that no member of the Conference or anyone outside the Conference hall had brought conclusive evidence, or even reasonable proof that the cultivation of opium in China during 1923 had reached 15,000 tons.

M. Sze referred to the well-known story according to which a woman was reported to have vomited three black crows, with all the vivid details. Upon being traced back to its original source, it was found that the woman in question had, in fact, not vomited even one crow but only something that was described as being black as a crow. M. Sze added that, as Abraham Lincoln had said: “You can fool some people some of the time, some people all the time, but you cannot fool all people all the time”. Some people might be fooled by the statement regarding the 15,000 tons some of the time, and some of the people all the time, but this figure could not fool all people all the time.

He next took up the question of Chinese smuggling, which was one of the points discussed by the Conference and was closely concerned with the reason why rationing and registration could not be adopted by the Powers.

When M. Sze had been at the University, he had studied the science of statistics. It was a criticism by some people that statistics could be made to prove anything. This was not true, or rather it was only true when the statistics were incomplete.

The British delegation had submitted a large number of statistics regarding Hong-Kong. Sir Malcolm Delevingne had submitted figures of the number of seizures which had been made, during the various years, on ships coming from China and elsewhere. This information was interesting, but not conclusive. The figures were not sufficient to prove the case. The number of seizures was an important factor, but was not everything. Other important factors were the amount seized, the kind of opium seized, whether it was Chinese, Indian, Persian or Turkish, by whom it was smuggled, whether by Chinese or foreigners, whence it had come and to whom it was consigned. It was also important to know what was being done with the contraband seized and what punishments were given to smugglers when caught. These were all essential factors which it was necessary to know.

He reminded the Conference of what Sir John Jordan had said in the Advisory Committee regarding smuggling carried on by persons other than Chinese. This class of smuggling was very considerable. If M. Sze remembered rightly, Sir John Jordan had quoted a case of smuggling by an Englishman which had resulted in the largest seizure.

He would also like to comment on the estimates which had been submitted to the Conference. In the statement made regarding the amount of opium smuggled from China into Hong-Kong, Sir Malcolm Delevingne had said that this opium represented only one-tenth of the illicit opium smuggled into Hong-Kong. In the next paragraph of his statement Sir Malcolm Delevingne had quoted an authority in Hong-Kong which stated that the amount of illicit opium seized was about one-half of the total amount that got through; the difference in these two estimates was therefore about 500 per cent.

Estimates were only estimates and they might or might not be accurate. They should therefore be accepted with considerable care by the Conference, without questioning the good faith of the person giving them but because of the general principle that the value of estimates was doubtful.

Mr. Campbell had asked how it was possible to put an end to smuggling. This question had been dealt with by the Advisory Committee. It was a matter which required co-operation. M. Sze referred to a speech made by Sir John Jordan during the first session of the Advisory Committee (Minutes of the First Session, page 13). Sir John Jordan had said that, as long as opium was exported from India to Singapore, Macao and numerous other places in communication with China, China could not adequately cope with the opium question.

Sir John Jordan had also said that opium, wherever grown, would always reach the consumer. Further, he had said that he was in a position to prove that a very great quantity of opium entered China every year and that he was convinced that this would very largely cease to be the case were the Government of India to reduce the production and export of opium. Without, therefore, wishing to minimise the difficulty of smuggling, M. Sze wished to make it clear that it was not Chinese opium alone which complicated the problem. Sir John Jordan had called attention to the fact that Indian opium also entered China.

The Japanese delegate had explained how opium smuggling could be stopped. It was an important fact that an Asiatic Power had proved that this question could be dealt with and dealt with successfully and that the fears entertained by certain Powers were groundless.

The British delegate had said at a previous meeting, with regard to the situation in the British Colonies as regards opium, that the Chinese furnished both the supply and the demand. In regard to this subject, M. Sze quoted six conclusions of the official report of the Malaya Government which had been distributed to the Conference (page A. 12). That report stated :

“The Opium Commission of 1907-8 reported that the general trend of the evidence tendered to them indicated that the majority of smokers acquired the habit locally.”

The same report said further on :

“(a) At our suggestion a discreet examination of immigrants on certain ships from China was made. The result of the inquiries shows that, of 1,086 immigrants who had never been in British Malaya before, 145, or 13.3 per cent, admitted that they were opium-smokers.

“(b) Our own Smoking-Room Sub-Committee reported that 80 per cent of the 85 smokers questioned by them stated that they acquired the habit locally.

“(c) In connection with the censuses of opium-smokers in hospitals, 1,170 smokers were asked where they learnt to smoke opium and 829, or 70.9 per cent, stated that they acquired the habit locally.

“(d) Of the 136 opium-smokers enumerated in decrepit cards, 83, or 61 per cent, claimed to have commenced the habit in Malaya.

“(e) Of the 584 Chinese inmates of leper asylums who smoke opium, 341, or 58 per cent, stated that they commenced the habit during residence in Malaya.

“(f) Our Sub-Committee which made inquiries as to opium smoking amongst jinricksha pullers found that 65 per cent of the smokers acquired the habit locally.”

He need not make any comment on the official report of the Malaya Government.

It had been said that in a prosperous year there was a larger consumption of opium among the Chinese. He appealed to the members of the Conference to urge their Governments not to expose the Chinese to the temptation of spending their money on opium smoking.

Without wishing unduly to take up the time of the Conference, M. Sze desired to state, with regard to Mr. Campbell's assertion to the effect that M. Chao-Hsin Chu had not denied that the production of opium in China was 15,000 tons, that it was obvious that such a statement did not require any serious notice because anyone who examined the matter carefully would at once be convinced that it was only hearsay. The Chinese delegation was silent in regard to some of these allegations because it thought it was beneath its dignity to join issue on statements which anyone could see at a glance were not true.

He was sorry that he had found it necessary to make the remarks which he had just made, but he had promised Mr. Campbell at a preceding meeting that he would answer his allegations. He had not made the quotations from the statements of other delegations in a spirit of criticism but merely in the sincere hope that something could be done to improve the situation in the Far East.

M. Sze once more appealed to Sir Malcolm Delevingne, the author of the proposals of May 1923, and asked him if he would not reconsider the text which he had just proposed and submit a new proposal which could be included in the Agreement.

The Chinese Government, people and, indeed, the whole world looked towards Sir Malcolm Delevingne, the author of the proposals which had been adopted by the Council and the Assembly of the League and which were the subject of the discussions of the Conference. In the name of humanity, M. Sze earnestly requested Sir Malcolm Delevingne to do something to alleviate the sufferings supported by humanity for so long a time.

The PRESIDENT said that, with reference to the British proposal concerning methods of licensing and rationing, something ought to be mentioned about smuggling, for smuggling prevented proper measures being taken. The French delegation might also agree to the addition to the proposal of the British delegate of the following amendment :

“The Conference recognises that the possibility of adopting these measures, or of continuing them where they are now in force with good results, depends entirely on the extent of the illicit traffic.”

M. SUGIMURA (Japan) accepted the President's amendment.

M. SZE (China) said that, if Sir Malcolm Delevingne thought that the appeal which he had just made to him was not worth consideration, he might perhaps be allowed to make another proposal, which consisted in adding to the British text the following words :

“But in any case an attempt should be made to introduce the measures not later than January 1st, 1928.”

All the Powers would therefore have time to put these measures into force.

M. BOURGOIS (France) said that the French delegation maintained its text because it faithfully reflected the conclusions of the discussions in the Committee. It was strictly in accordance with facts and consequently could easily be accepted by everyone. It did not give to these facts an interpretation which could give rise to discussion, such as had just taken place in the Conference. Finally, he thought that the French proposal completely satisfied the Japanese delegation while allowing Governments to draw their own conclusions from the facts.

M. SUGIMURA (Japan) entirely sympathised with the statements of his Chinese colleague. He quite understood what it was that M. Sze desired to propose, but, since the only way of achieving the ideal of the League was by conciliation, he thought that it would be better to leave it to the British and French delegations to draft a common proposal which might prove acceptable to all the members of the Conference.

The proposal of M. Sugimura was adopted.

FIFTEENTH MEETING

Held at Geneva on Saturday, November 15th, 1924, at 3.30 p.m.

President : M. van WETTUM (Netherlands).

24. Consideration of the Measures which can be taken to carry out more effectively the Policy embodied in Chapter II of the Convention of 1912 of gradually suppressing the Use of Opium for Smoking, and the Preparation of a Convention to embody the Measures which may be agreed upon by the Conference : Items II (b) and (c) of the Agenda: Consideration of Draft Agreements (*continuation of the discussion*).

System of Registration and Rationing : Agreed Text presented by the French and British Delegates.

M. CLINCHANT (France) presented the following text on which the British and French delegations had reached an agreement concerning the system of registration and rationing established in certain countries :

“It has been pointed out to the Conference that in some countries the system of licences (or registration) and rationing has been successful in diminishing the number of consumers.

“At the same time the Conference has found that in other countries smuggling, which equals and even surpasses in extent the legitimate trade, renders the application of this system useless and in some cases dangerous.

“Accordingly, the Conference states that the question of adopting these measures or of maintaining them in those territories where they are found to be successful depends entirely upon the growth of smuggling.

“It therefore leaves to the Contracting Powers which have not yet applied this system the duty of choosing the moment when circumstances will allow of its adoption and to take, in the meantime, such preparatory measures as they may deem expedient.”

M. SUGIMURA (Japan) said he accepted the text, but would venture to submit that it was somewhat complicated, and possibly obscure.

M. SZE (China) said that his first impression on hearing the text was one of disappointment. Unless this impression were removed on his receipt of the written text, the Chinese delegation would be unable to join in such a declaration.

Mr. CAMPBELL (India) said that the Indian delegation accepted the text as drafted.

He would take this opportunity of saying that he was at the disposal of the Conference if it wished him to reply to the remarks made by M. Sze at the morning meeting. He would like to state at once that he did not accept as accurate either the statement or the arguments, or even the quotations made by M. Sze.

The PRESIDENT asked M. Sze what objection he had to the text which was before the Conference. An agreement had been reached and all the members of the Conference desired that the measures described in the text should be enforced as a minimum. China, however, would not be called upon to enforce them, and he could not quite understand the objection of M. Sze.

M. SZE (China) said he objected to the statement contained in the text that the amount of illicit opium in certain territories not only equalled but exceeded the licit opium.

M. CLINCHANT (France) said that this statement was contained in the report. All the experts declared plainly that in many cases the smuggling trade not only equalled but exceeded the legitimate trade.

M. SZE (China) said he was not responsible for anything that had been discussed in the Committee of the Conference.

Mr. CAMPBELL (India) said that the statement to which M. Sze alluded had been made repeatedly by various delegations in the plenary Conference. He had made such a statement himself in regard to Burma, and a written report on the subject had been presented to the Conference. Sir Malcolm Delevingne had also made the statement repeatedly. This was not a question which had been dealt with solely by the Committee.

M. SZE (China) said that he would study the text when it was distributed, and if China could not accept it, he would present a declaration of his own, representing the views of China.

M. SUGIMURA (Japan) suggested that the question should be adjourned until the Chinese delegation had had an opportunity of studying the text in writing.

M. Chao-Hsin CHU (China) said he failed to understand why an effective system of licensing and rationing had not been universally adopted by all the Far Eastern territories. All the Far Eastern Governments were supposed, under the Hague Convention, to have taken effective steps towards its application. Twelve years, however, had elapsed, and the system of licensing and rationing had not yet been put into practice.

The report of the Committee stated that the number of smokers could not at present be accurately determined. Was it not, however, possible to give a rough figure of the number? If nothing were done to apply the system, the position would be precisely the same at the end of another period of twelve years as it was to-day.

In his opinion, some Far Eastern administrations were too kind to opium-smokers, who formed a bad element in the population. The Chinese Government would not even protect Chinese opium-smokers, but desired to deal with them as strictly as possible. The furnishing of opium to smokers was not an act of benevolence, but one which did harm to the individuals in particular, and to the community in general.

It was often stated that smuggling was the dominating factor. The Governments, however, should adopt strict measures to prevent smuggling. They could not argue that owing to smuggling it was better to do nothing to deal with the situation. They could not justify their inaction owing to the present conditions prevailing in China. China had not carried out the plan of reform owing to her temporary inability. The other Far Eastern Governments, however, had suitable administrations, and a refusal to act on their part showed that they did not wish to act.

The text submitted by M. Clinchant was accepted by the Conference, it being understood that the delegates of China and Siam would indicate their opinions after it had been distributed.

Exportation, Importation and Transshipment of Opium: Article 4 of the British Draft and the Japanese Proposal.

M. SUGIMURA (Japan) submitted the following proposal regarding the question of exportation, importation and transshipment :

- "1. The export, import and transshipment of opium are forbidden.
- "2. Nevertheless, they will be authorised when the opium is accompanied either by an import certificate duly issued by the competent authorities of one of the contracting States or by an official document guaranteeing that the import is legitimate.
- "3. The authorities of the ports are under strict obligation to abstain from any measures which might constitute unfair discrimination on the ground of the nationality of the vessel or the origin of the goods."

M. Sugimura then read the following explanatory statement :

I.

The exportation, transshipment and importation of opium are three aspects of a single problem, which must be dealt with on the principles of justice and equity, *i.e.* by exercising strict control and severely punishing all illicit trade, while allowing reasonable and liberal facilities to lawful trade. Such are the principles which underlie the proposals I have the honour to submit to the Conference and which inspire the measures applied by the Japanese Government to-day, in conformity with the spirit of the Hague Convention and with the various decisions and agreements of the League of Nations.

Freedom of transit, freedom of maritime ports and freedom of legitimate trade are the three terms of the great economic ideal which was solemnly proclaimed in the Covenant of the League itself and which was put before us as the supreme goal of our endeavours. In drawing up the Convention on the Freedom of Transit, the Barcelona Conference made the first great stride forward on this path. The Second Conference on Communications and Transit which met at Geneva made a further advance by applying clearly and unreservedly the principle of unrestricted trade to maritime ports and railways. This is one of the finest of the League's many great achievements. Lastly, the Conference on the Simplification

of Customs Formalities did great service to the cause of economic solidarity by abolishing all the useless hindrances and artificial barriers which hampered the prosperity of nations. This work was powerfully seconded by the clear-sighted efforts of the International Chamber of Commerce, which so worthily represents all the legitimate ambitions of international trade in the struggle for economic justice and the material prosperity of all the Members of the great community of nations.

The opium traffic is only one element in the great field of international trade. While we must use our best endeavours to destroy illicit trade and the scourge of the abuse of opium, we must also give due encouragement to legitimate trade and to the employment of the drug for beneficial medicinal purposes. To eradicate these evils and to prevent abuses, the League, on the proposal of the British Government, has created an admirable system of import and export certificates, which will ensure the effective protection of legitimate trade and the strict control of illicit trade.

The system of import certificates was elaborated to give full effect to the provisions of the Opium Convention regarding the control of importation and exportation. Its purpose is to confine the exportation of narcotics solely to persons who have obtained due authorisation in the importing countries. The Governments must be able to satisfy themselves that a person wishing to import these products into another country also has an authorisation to this effect from the Government of the importing country. The Government of the importing country has to see that the quantities of narcotics imported do not exceed the legitimate requirements of the country, and that the persons who apply for an importation permit carry on the trade in drugs in a legal manner. At the same time, the Government of the exporting country has the assurance that narcotics will not be exported from its territory to other countries for illicit purposes. Accordingly, this system has been recommended by the League of Nations as being the most effective.

I would be very glad to have further details on the restrictions and the measures of control which have been recommended. To make these explanations clearer, I will leave out of account the cases of illicit trade.

We have several alternatives to consider :

(a) The goods may be accompanied by a certificate of importation and a certificate of exportation. This heading may be further subdivided into two parts :

1. The goods may be accompanied by a through bill of lading;
2. The goods may be without a through bill of lading.

(b) The goods may be accompanied by a certificate of importation and no certificate of exportation, and

1. They may have a through bill of lading; or
2. They may be without a through bill of lading.

The port authorities must, of course, be allowed to examine these certificates or bills of lading. But no useless and vexatious formalities must be imposed.

It is absolutely essential to establish a clear distinction between legitimate and illicit trade. Everything which can be classed as illicit trade must be severely punished and strictly repressed. But when the goods are accompanied by certificates proving their legitimate character, the principles of freedom of commerce and mutual tolerance must be given full play. The formalities must, in such cases, be simplified to the greatest possible extent.

II.

We have studied with the greatest care the regulations in force at Hong-Kong. These confer arbitrary and absolutely discretionary powers on the Governor. To my great regret I am obliged to say that we have had the most unfortunate experience at Hong-Kong and that we must raise a protest against measures which are contrary to the fundamental principle of the equitable treatment of commerce — a principle which has been embodied in the Covenant of the League itself. The system in force at Hong-Kong renders it possible to evade and stultify the import certificate system proposed to the Opium Advisory Committee by the honourable delegate of Great Britain and accepted by the Council and Assembly of the League of Nations.

In former times sovereignty was absolute without other limits in theory than the arbitrary will of the ruler. But to-day, the conscience of the civilised world has registered a protest against such aberrations. Henceforward, sovereignty must be based on justice and reason; it is not an end in itself but only a means to ensure greater justice and tolerance between individuals and nations. No State, however powerful, must overstep the salutary bounds of reason and equity which were fixed by the new Covenant of humanity of the League of Nations.

Sovereignty cannot be diverted from its legitimate ends to destroy justice instead of upholding it. When legitimate trade is carried on in all good faith, it should receive the support of justice and not be subjected to arbitrary restrictions.

III.

The question is a simple one if each Government trusts the other contracting States and loyally recognises the validity of the certificates duly issued by them. Legal forms are useful, but they are not the essence of our problem, which is, above all, one of morality. To question the validity of the certificates of other nations and to doubt their sincerity is to destroy the very basis of any useful international collaboration and to render the system of import certificates useless.

Our discussions must not have the result of increasing suspicion between nations and of creating new obstacles to peaceful trade relations between the different countries. Our bounden duty is rather to spare no pains to strengthen and consolidate the feeling of solidarity, concord and international agreement. This necessity is dictated by the peaceful aspirations of peoples and by the economic difficulties of the day. It is a mission of goodwill and of co-operation in the cause of justice and equity, which we must accept freely and spontaneously.

The Japanese delegation makes an earnest appeal to all its distinguished colleagues who so worthily represent the great civilised Powers and the moral conscience of universal public opinion. To safeguard the splendid edifice of justice and humanity erected at The Hague and at Geneva, to save the world from the terrible scourge of opium and to enlist the loyal and sincere co-operation of all the peoples of the globe, we must remain true to this lofty ideal, which stands for the best that is in us and for the true dignity of humanity. The battle can only be won if we work with tireless energy as apostles of a greater faith in the improvement of humanity, of a healthier life and of a greater solidarity in the interests both of the individual and of the whole community.

Sir Malcolm DELEVINGNE (British Empire) regretted and was somewhat surprised that the Japanese delegation should have brought this matter forward and made what was in effect an attack on the justice and fairness of the British Government. Though its proposal, as distributed to the Conference, was couched in general terms, it was really an attempt, as the speech of the Japanese delegate showed, to induce the British Government to relax or withdraw certain measures which it had thought it desirable to take in regard to the shipments of opium to the Far East on ships which made use of British ports. It was therefore a proposal, or so it seemed to him, for rendering less and not more effective the measures taken to give effect to Chapter II of the Convention.

The Conference had been summoned to consider what measures could be taken to render the application of Chapter II of the Convention more effective. The Japanese delegation was seeking to secure something from the Conference which was designed to make the measures taken by the British Government less effective. This being so, it seemed to Sir Malcolm Delevingne that, in the first place, the proposal of the Japanese delegation—and he was now referring only to the second and third paragraphs—was outside the scope of the Conference, and was not one which the Conference should consider. In the second place, as the question was one between the Japanese and the British Governments, it seemed to him to be one for discussion and negotiation between those Governments and not for discussion in a general Conference.

The last discussion which had taken place between the two Governments on this matter, so far as Sir Malcolm Delevingne was aware or could remember, was in May and June 1923. The matter was not then pursued by the Japanese Government, and no notice had been given to the British Government that it was the intention of the Japanese delegation to bring up the matter at the present Conference. He had suggested to the Japanese delegation that the proper course to pursue was for the Japanese Government to reopen the question with the British Government and he had also informed the Japanese delegation that he was sure that the British authorities would be glad to examine the question afresh and to discuss it with the Japanese Government, with a view, if possible, to arriving at an understanding which would be satisfactory to both Governments. He felt he must express his regret that the Japanese delegation had not seen its way to accept the suggestion which he had made but had felt it necessary to raise the matter in the Conference.

Sir Malcolm Delevingne did not wish to ride off on a mere point of procedure or on the question whether this matter was within the scope of the Conference. The Japanese delegation had brought what he considered to be almost a definite charge of unfairness or unfair discrimination on the part of the British Government, and he was obliged therefore to deal with it on its merits. He did not wish to enter into any unpleasant details. He thought he could claim that the British Government did not take action in these matters unless there were what it considered to be sufficient grounds.

On the merits of the question, the position of the British Government—so far, at any rate, as the question of principle was concerned—seemed to him to be unassailable. The application of that principle to a particular case might be a question for discussion between

the Governments concerned, but it was impossible for the British Government—and he would have thought it impossible for any Government—to accept the general proposal which had been put forward by the Japanese delegation. What was the effect of it? Paragraph 2 of the Japanese proposal said that the export, import and transshipment of opium “will be authorised”—I take it that that means “shall be authorised”—“when the opium is accompanied either by an import certificate duly issued by the competent authorities of one of the contracting States or by an official document guaranteeing that the import is legitimate”. That proposal, if accepted, would bind every Government to allow any consignment of opium whatever to pass through its ports if the consignment were accompanied by an import certificate.

Sir Malcolm Delevingne did not think he would be suspected of under-valuing the import certificate system. He entirely agreed with the Japanese delegate as to the value of that system. It was, in the view of the British Government, the most effective system that had been devised for giving effect to the provisions of the Hague Convention in regard to the export and import of opium and dangerous drugs. But all import certificates had not the same value. Was any Government bound to allow a consignment of opium or of drugs to pass, if it suspected that consignment of being destined for illegitimate purposes, simply because it was accompanied by an import certificate from another Government? He thought it was merely necessary to state the case in that way in order to show the impossibility of the proposal which the Japanese delegation had put forward.

Sir Malcolm Delevingne wished to give an instance, without mentioning any names. A year or two ago, in a Far Eastern territory where opium smoking was still continued, very grave scandals occurred in connection with the opium traffic. A number of officials, some of high rank, had been implicated. The Government of the territory in question took steps to deal with the matter, and the officials in question had been put on trial, and very heavy sentences imposed. It had been well known to most people in the Far East, he thought, that the position in that territory had been unsatisfactory for some time. Certainly, the information which had reached the British Government had been to that effect. Was the British Government to be required to allow a consignment of opium to go to such a territory because it was accompanied by a certificate given by authorities who might themselves be implicated in the scandals?

Another point to which he wished to draw attention was that the import certificate in the form in which it had been recommended by the League of Nations contained no guarantee against re-export. In the form in which the import certificate had been originally drawn up by the British Government and put into effect by direct negotiation with various Governments, a clause certifying that the article would not be allowed to be re-exported had been inserted, but when the matter was discussed by the Advisory Committee of the League of Nations, the Committee decided to drop the re-export clause because it had been hoped and anticipated that every country would accept the import certificate system, and that therefore there would be no necessity for the guarantee against re-export. Unfortunately, those hopes and expectations had not been fulfilled, and under the import certificate system as it existed to-day there was no guarantee that a consignment which was sent under an import certificate to one country would not be, or might not be, reexported from that country to another country which furnished no import certificate whatever. Clearly the original country of export must, in such cases, be allowed to exercise a discrimination in regard to the exports from its own territories which might be diverted in that way to destinations where the consignment might be put to illegitimate uses.

The principle on which the British Government was acting was no new principle. If he remembered aright, the law of the United States was as severe as, if not much more severe than, the British ordinance to which M. Sugimura had alluded. If his recollection was accurate, no transit or transshipment of opium or dangerous drugs could take place in any United States port except under licence from the Treasury, and it was within the absolute discretion of the Treasury authorities to refuse or grant those licences at will.

Sir Malcolm Delevingne had noticed, in the suggestions which M. Clinchant had laid before the Conference at one of its earlier meetings, that the passage in transit, the transshipment or the warehousing of raw or prepared opium should be absolutely prohibited. That question had not been pursued further by the French delegation, but the very fact that it had been put forward indicated, in his view, that there was no *prima-facie* objection, on the grounds of justice, humanity, solidarity, or anything else, to the principle on which the British Government acted. Nor, again, was it inconsistent with the Convention on the International Regime of Maritime Ports to which M. Sugimura had alluded. The Conference which had drawn up that Convention had expressly excepted consignments of opium and dangerous drugs from its provisions. Sir Malcolm Delevingne read the provision in question:

“Nothing in this Statute shall affect the measures which one of the contracting States is or may feel called upon to take in pursuance of general international conventions to which it is a party or which may be concluded hereafter, particularly conventions concluded under the auspices of the League of Nations,

relating to the traffic in women and children, the transit, export or import of particular kinds of articles such as opium or other dangerous drugs, arms..."

There was no qualification in that paragraph, as there was in the preceding one, about unfair discrimination. The Japanese proposal went on to suggest that the authorities of a port should be placed under strict obligation to abstain from any measures which might constitute unfair discrimination on the ground of the nationality of a vessel or the origin of the goods. He did not quite know what that meant as applying to the particular class of case which was under discussion. In the view of the British Government, no unfair discrimination was exercised by it in this matter, and it seemed to him to be rather surprising that the Japanese delegation should have brought this charge of unfair treatment against the British Government without first raising the question again in private negotiation with the representatives of that Government.

Sir Malcolm Delevingne had only one more word to add. As he had indicated, it was quite impossible for him to accept the Japanese proposal. He would be glad to accept an amendment to his article, to the effect that transit or transshipment should only be allowed when an import certificate duly issued by the competent authorities of one of the contracting States, or an official document guaranteeing that the import was legitimate, was produced; if the Conference generally were in agreement, he would like to amend his draft in that sense. He did not, however, press the point, and unless there was general agreement that the proposed amendment was desirable, he would leave the draft of Article 4 as it stood.

M. SUGIMURA (Japan) said that the Japanese delegation was convinced that it had the approval of the majority of the other delegations. He desired to reply to the observations of the British delegate.

The British delegate maintained that this question was outside the scope of the Conference. Nevertheless, he had himself raised the question of exports. Export, import and transshipment formed part of the general problem of international relations and were inseparable terms. The British delegation, moreover, had consented to amend its draft. It accordingly recognised that the Conference was competent to deal with the matter. He would, moreover, point out that the Conference was dealing with questions such as the system of monopoly, which appeared to fall within the scope of national sovereignty, but in regard to which it nevertheless seemed desirable to establish a uniform regime in the interest of international relations.

The British delegate had suggested that there should be private negotiations between the two Governments. The question, however, did not only concern Great Britain and Japan. It concerned all the nations, and should be the subject of an international Convention founded on principles of equity. It appeared, moreover, from the latest information in regard to the negotiations to which reference had been made, that the equitable solution requested by the Japanese Government seemed impossible by means of secret negotiations. The Japanese delegation had received explicit instructions to submit the question to the Conference and to appeal to the public opinion of the world.

In the third place, it seemed to him surprising that a statement should be made at an International Conference that the various import certificates were not of equal value, and thus to throw doubt on the certificates given by certain States. The British delegate had referred to a regrettable occurrence which had taken place at Kwangtung some years ago. The Japanese Government had severely punished the guilty officials, and further reference to this incident should not now be made. Moreover, the Japanese Government had itself made very careful enquiries into the question of opium in the Far East, and had collected information which was not very favourable to nationals of other Governments. The Japanese delegation had, however, refrained from alluding to any of these facts, as it was not in favour of such methods of international discussion.

He would, in conclusion, ask the various delegations to give their views on the three following points :

1. Was it necessary to recognise that the certificates given by the various countries in accordance with a system established under the auspices of the League of Nations were of equal value ?
2. In spite of the existence of this system, was it possible to maintain vexatious restrictions when they put obstacles in the way of legitimate commerce ?
3. Were there still any nations which desired to make an unfair discrimination on the ground of the nationality of the ships and the origin of the merchandise ?

It was not merely the system of import certificates which was at present in danger, but the very basis of the agreement for which the Conference had assembled. If the Conference desired its work to be fruitful, mutual confidence was indispensable. The Japanese delegation would press for formal assurances in regard to the three points which had just been defined before it was able to sign an agreement.

The PRESIDENT suggested that, in order to avoid prolonged discussion, the British proposal should be accepted in its present form, with the express understanding that the

word "exports" did not cover transshipment. This last question might be taken up again by the British and Japanese Governments.

M. SUGIMURA (Japan) regretted that he was unable to accept the suggestion of the President.

Mr. CAMPBELL (India) said he was entirely in agreement with the British delegate, and he regretted that the Japanese delegation had raised the question in this way. The matter closely concerned India, as an exporter of raw opium. The position of the Indian Government in this matter had always been perfectly clear and precise. It considered that, for obvious administrative reasons, and in conformity with the spirit and letter of the Hague Convention, the responsibility as regarded certificates covering exports from India rested in the first instance on the importing country. Nevertheless, the Indian Government must reserve the right to refuse to supply opium, despite the issue of certificates, when there was reason to believe that those certificates were, in fact, intended to cover illegitimate transactions. The Government of India would not have accepted the system of import certificates upon any other understanding.

This interpretation was strictly in conformity with the provisions of the Convention, the preamble of which stated that the Convention was framed with a determination to bring about the gradual suppression of the abuse of opium and other drugs. A Government would not, of course, lightly disregard a certificate issued by another Power, and the Government of India had certainly not done so without being satisfied that there was ample proof of the unsuitable character of the transaction.

He would point out that his Japanese colleague had not in any way attempted to reply to the fundamental objection of the British delegate.

According to the Japanese proposal, as drafted, if country B issued a certificate or an official document—the wording is extremely loose—guaranteeing that the import was legitimate, country A would be obliged to export the quantity of goods required by country B even if country A knew that the transaction was illicit. Such a contention had no basis either in international law, or in commonsense, or in existing international practice. Every country had the right to decide what exports it should permit from its shores, in the absence of any treaty or agreement to the contrary. In this case there were no treaties or agreements to the contrary. The Government of India had concluded agreements with certain Governments for the supply to them of opium; that was, of course, an entirely different matter. The question of justice had been raised, but what delegation would maintain that it was just to compel an exporting country to abandon its sovereign rights as regards export if there was reasonable cause for thinking that the exports in question were intended for an illegitimate purpose which that exporting country had solemnly undertaken not to encourage.

M. SUGIMURA (Japan) said he would reply briefly to the Indian delegate. The Indian delegate had alluded to the Hague Convention, but the real question was elsewhere, and was a question of principle. A consignment came from a certain country. During its progress it was transhipped in a certain port. If at the moment of transshipment obstacles were encountered, there was unfair discrimination, and it was this that the Japanese delegation wished to suppress. The Japanese delegation did not insist on the text of its proposal, provided the principle was safeguarded.

His delegation felt called upon at this moment to make an important declaration. The question at issue could not be the subject of private negotiations between two countries but, according to the existing democratic method, should be discussed before public opinion loyally and frankly. The Japanese delegation had already made many concessions in regard to a draft which was illogical and needlessly long and complicated. At present the very substance of the question was prejudiced. As long as the moral basis was lacking and suspicion remained, the Japanese delegation would not be able to sign any agreement discussed by the present Conference.

Mr. CAMPBELL (India), replying to the Japanese delegate, said he did not think it could be maintained that he had regarded the matter from the economic point of view. It was not in the economic interests of India to refuse to sanction exports. He reminded the Conference of his previous argument. As members of the Advisory Committee were aware, India had already been obliged to refuse certain exports, and it intended to continue to exercise this right when circumstances required it.

SIXTEENTH MEETING

Held at Geneva on Sunday, November 16th, 1924, at 10.30 a.m.

President : M. van WETTUM (Netherlands).

25. Consideration of the Measures which can be taken to carry out more effectively the Policy embodied in Chapter II of the Convention of 1912 of gradually suppressing the Use of Opium for Smoking, and the Preparation of a Convention to embody the Measures which may be agreed upon by the Conference: Items II (b) and (c) of the Agenda: Consideration of Draft Agreements (*continuation of the discussion*).

Exportation, Importation and Transshipment of Opium: Consideration of the Japanese Proposal (*continuation of the discussion*).

The PRESIDENT referred to the declaration which had been made at the previous meeting by the Japanese delegation. The Japanese delegate had announced yesterday that, unless the Conference decided that importation, exportation and transshipment of opium were authorised when the consignment was accompanied, either by an import certificate duly given by the competent authorities of one of the contracting States, or by an official document guaranteeing that the import was legitimate, the Japanese delegation would not be able to sign any agreement which might be reached at the Conference. The delegations of Great Britain and India had not been able to accept the principle maintained by the Japanese delegation. The President had endeavoured to avoid a disagreement on this point by suggesting that the question of transshipment should be left out of the contemplated arrangement. This proposal had unhappily not been acceptable to the Japanese delegation.

The Conference therefore had reached a critical stage in its discussions. If it were unable to overcome this difficulty, all its work would have been in vain; the effect would be so deplorable that, before opening the discussion, he felt it his duty to emphasise the great importance of the consequences involved. He renewed his appeal to the spirit of co-operation, which he had already made at the first meeting. Failing such a spirit, the results of the work of the Conference would be endangered and the issue would be without hope. It would then be seen that all the delegations who had assembled from the various parts of the world had come together in vain. He begged each delegation to express its views in regard to the difficulties to which he had alluded.

Sir Malcolm DELEIVINGNE (British Empire) said that he was sure that all the members of the Conference would weigh with extreme care the words which had just been spoken by the President, and that they all appreciated his efforts to overcome the difficulty which had arisen. No delegation would regret more than the British delegation if no solution were found. Clearly, however, a real issue had arisen which could not be solved by any "transactional formula". He could only repeat once more that this problem must be settled, and could only be settled, by negotiations between the two Governments concerned. He was convinced that the British Government would wish to discuss, in the most friendly spirit, any representations which the Japanese Government might desire to make upon the question which had been raised by the Japanese delegation on the previous day. He would submit that this was a reasonable solution and the only possible solution and that the Japanese delegation might accept it without any loss of dignity, and without any surrender of what it regarded as a principle. If the Japanese delegation could accept this solution, he believed that its decision would be welcomed by the whole of the Conference.

M. SUGIMURA (Japan) made the following declaration :

In ordinary life women are sometimes to be found who criticise the looks of their neighbours without appreciating the fact that they themselves are not exceptionally beautiful. This is sometimes true of nations. They do not see their own defects and almost all of them have need of a looking-glass.

The Japanese delegation feels that, as long as mutual respect and confidence are lacking between nations, an international agreement is useless and may even be harmful. For this reason, to our great regret, we cannot sign the proposed arrangement and we shall advise our Government not to adhere to such an agreement, which in substance merely records a lack of agreement.

As regards the question of import and export certificates solemnly established by the League of Nations, and the problem of unfair discrimination, we shall continue to fight with energy for the same policy of justice and freedom which we have defended for many years. In this direction we shall, in the name of justice, go to the utmost limits.

I feel it necessary to add that, for the first time in the history of the League of Nations, we have had the painful experience of falling subject to reproach on account of a special case of criminal neglect on the part of some of our officials, though the facts in question happened some time ago and were punished with extreme severity.

We are the country of the Samurai, where honour comes before everything. We shall therefore advise our compatriots not to expose themselves to another experience of the same kind. We shall develop and perfect our own system, which already goes even further than the proposed arrangement. We shall endeavour to ensure that our system may be recognised by all as a model of just and humane policy. The problem of opium is above all a moral problem and we shall spare no effort in perfecting our work by an increasingly complete education of our people.

In conclusion, I must confess that the moment does not yet seem to have come for an international agreement.

The problem of opium will only really be settled on the day when considerations of justice and humanity take precedence over every other consideration. The way in which our discussions have proceeded during the last fifteen days does not justify us in thinking that the results will be very satisfactory. We do not wish to sign any illusory agreement ; we prefer to confess our failure before the whole world and to leave to enlightened public opinion the task of bringing pressure to bear in favour of an agreement which shall be just and effective.

Mr. CAMPBELL (India) said he had had no reason to think that the question raised by the Japanese delegate would come before the present Conference. He had accordingly not received any instructions from his Government on this particular point, and it was only right that he should reserve for his Government an opportunity to correct the views which he himself had expressed if it wished to do so. In order, however, to prevent any misunderstanding, he wished to say at once that he had no doubt whatever that his attitude would be approved by his Government.

Secondly, he desired everyone to appreciate the fact that India did not intend to throw suspicion on any Government. India had always held that import certificates were granted upon the responsibility of the Government of the importing country, and the members of the Advisory Committee knew very well that no one had more fully or more often insisted on this point than the Indian delegate. As he had said at the previous meeting, the Government of India would not lightly depart from that attitude and would take no action towards refusing a certificate granted by any Government until it was thoroughly satisfied that such action was required by the obligations which India had assumed under the Hague Convention. It was hardly necessary to say that the Indian delegation had made no attack whatever upon the Japanese Government. This question did not concern any particular Government. It was a question of general importance and a question of principle.

He would conclude by reminding the Conference that, when it had decided in favour of the publicity of its discussions, it had possibly not thoroughly realised the consequences of such a decision. From that moment all relevant facts must necessarily be frankly discussed in public. As the members of the Advisory Committee knew, he had always maintained the view that it was difficult, and that it might even be impossible, to discuss certain difficult situations adequately in public. The Conference now found itself confronted with a consequence of the decision which it had taken.

Sir Malcolm DELEVINGNE (British Empire) felt obliged, in view of the publicity of the discussion and the presence of the Press, to protest against the accusation brought against him by the Japanese delegate that he had cast in the teeth of the Japanese delegation any concrete case. He had mentioned no names and had expressed himself purely in general terms in regard to a case which had come to the knowledge of the British Government. He had only quoted this case as an instance of the circumstances which might justify the British Government in refusing facilities for export or for transhipment or transit in respect of ships making use of British ports. He had been careful to say nothing which might be disagreeable to the Japanese delegation, or to any other delegation, and the Conference would agree that he had kept himself to the question of principle.

M. BOURGOIS (France) said he wished to draw the attention of the Conference to the following point : was it not possible to escape from the present impasse by taking advantage of the fact that the point which had been raised was a question for the second Conference ?

The PRESIDENT thought that the question was within the sphere of the first Conference, which was discussing the question of transhipment in respect of prepared opium. The object of the discussion of the second Conference would be different. Perhaps, however, the delegates were of another opinion.

M. BOURGOIS (France) said he did not claim that this question was not within the competence of the first Conference. He merely noted that a similar question would arise at the second Conference, and he asked whether it was not possible to find in this circumstance a means of escape from the present impasse by referring the matter to that Conference. Perhaps a solution would in the meantime be found.

The PRESIDENT invited the delegates to express their views.

M. FERREIRA (Portugal) supported the proposal of M. Bourgois. He proposed to suspend the meetings of the present Conference until the end of the second Conference and to take a decision in accordance with the decisions reached by that Conference.

M. SZE (China) regretted that he was unable to accept this suggestion. His duties called him elsewhere and he must leave the Conference as soon as possible.

The PRESIDENT thought that the suggestion of the French delegate, which had been supported by the Portuguese delegate, did not solve the problem. The same difficulty would arise before the second Conference, and if no agreement was reached at present, there would be no agreement at the second Conference.

M. BOURGOIS (France) said he had made his suggestion simply as a means of escaping from the present impasse, but he would not like to assert that the difficulty could be overcome at the second Conference.

Prince CHAROON (Siam) explained that, as long as opium continued to be imported by private individuals and not solely by the Governments, a Government would always be liable to deliver in good faith an import certificate on the strength of false declarations made by private individuals. As long, therefore, as the present state of affairs lasted, the Siamese Government intended to preserve the right of conducting an enquiry into each case and to confiscate the opium if it had reason to believe that it was destined for illicit use.

Mr. CAMPBELL (India) thought that the declaration made by the delegate of Siam offered perhaps a means of escape from the present difficulty. The delegates of Great Britain, Siam and India were the only ones who had so far expressed their views. Would it not be well to ask each of the delegates in turn for his opinion?

The PRESIDENT invited the delegates in alphabetical order to express their views.

M. SZE (China) thought that the present position might be summarised as follows :
The British delegate had asked that the question of transshipment might be discussed by the British Government and the Japanese Government. The Japanese delegate had replied that this was a question of general interest which must be discussed, not by the two Governments, but by the Conference. If the contentions of the British delegate were well founded, the Chinese delegation did not feel called upon to participate in the discussion of an agreement between two parties. If, on the contrary, the Japanese delegation was right in its contention, it was clear that all the delegations should participate in the discussion. The present situation was delicate, and it would be useless to put forward an opinion which might, as the delegate of India had pointed out, be rectified when the Governments came to declare their official views. The Chinese delegate accordingly thought that a statement of personal opinions could only make the position still more difficult, and that all the delegations which were not in a position to give a precise reply binding their Governments would do well to maintain a discreet silence.

M. BOURGOIS (France) said he would like the first delegate of France, who was absent, to be permitted to express his opinion on the following day.

M. FERREIRA (Portugal) thought that the method at present being followed had the result of turning the Conference aside from its normal duties, and he preferred to abstain from expressing any opinion. The discussion must continue. There were problems which could not be settled and this fact must be taken into account.

The PRESIDENT said that he had not personally received from his Government any instructions on the special question now before the Conference. He did not, however, share the opinion of the Chinese delegate to the effect that individual statements were of no use. He was present as a plenipotentiary, and his personal opinion was to the effect that the question of the import certificate system involved the principle which lay at the basis of the League of Nations. From the moment when States assembled within the League, it was their duty to have mutual confidence in one another. The system of import certificates had been established by the League, and this system necessarily implied that the Members of the League must have mutual confidence.

M. BOURGOIS (France) proposed that the continuation of the discussion should be postponed for a few days. Meanwhile, the delegates would have been able to consult their Governments, and those who were perhaps bound at present by strict instructions might, in agreement with their Governments, be able to find an acceptable formula.

The PRESIDENT said he associated himself with the proposal of the French delegate, and, with the assent of the Conference, declared that the present discussion would be resumed within the next five days.

The Conference at its afternoon meeting would discuss the other items on its agenda.

SEVENTEENTH MEETING

Held at Geneva on Sunday, November 16th, 1924, at 3.30 p.m.

President : M. van WETTUM (Netherlands).

26. Consideration of the Measures which can be taken to carry out more effectively the Policy embodied in Chapter II of the Convention of 1912 of gradually suppressing the Use of Opium for Smoking, and the Preparation of a Convention to embody the Measures which may be agreed upon by the Conference : Items II (b) and (c) of the Agenda : Consideration of Draft Agreements (*continuation of the discussion*).

The Question of Monopoly and the Importation and Sale of Raw Opium for Medical Purposes : Text proposed by the British, French and Japanese Delegations and Article 10 of the British Draft.

The following text was presented by the delegates of the British Empire, France and Japan :

“1. Except as provided with regard to retail sales, the importation, sale and distribution of opium shall be a monopoly of the Government and the right to import, sell or distribute opium shall not be leased, accorded or delegated to any persons whatever.

“2. The preparation for sale of opium for smoking shall also be made a monopoly of the Government as soon as circumstances permit.

“3. (a) The system of employing persons paid by a fixed salary, and not by a commission on sales, for the retail sale and distribution of opium shall be applied experimentally in those districts where an effective supervision can be exercised by the administrative authorities.

“(b) Elsewhere the retail sale and distribution of opium shall be conducted only by persons licensed by the Government.

“Paragraph (a) need not be applied if a system of licensing and rationing of smokers is in force which affords equivalent guarantees.”

M. FERREIRA (Portugal) said that at one of the preceding meetings the Portuguese delegation had stated that it had preferred the text of the temporary provision included in the draft agreement presented by the French delegation. The Portuguese delegation thought that this text was better adapted to serve as a basis for discussion and also that it formed an indispensable adjunct to the draft agreement since it was fully in conformity with the spirit and letter of the Hague Convention, the principles of which it safeguarded.

When Article 1 of the French draft had been discussed, the Portuguese delegation had approved it and had stated that it considered this article to be inseparably connected with the temporary provision inserted at the end of the draft. This meant that the Portuguese delegation considered that its approval of Article 1 was contingent on the establishment of a connection between Article 1 and the temporary provision.

M. Ferreira therefore desired to make the following statement regarding State monopoly. According to what had been said by his Portuguese colleague and himself, and in accordance with the actual facts, he could not adhere in principle to the system of State monopoly. His Government would nevertheless be ready to replace the system already in force in the Far Eastern Colonies by a system of State monopoly on the lines of the temporary provision contained in the French draft and of the text of the Japanese scheme. The Portuguese Government could not do otherwise, for it had signed the Hague Convention and was bound by its terms.

The Hague Convention imposed duties on States, but it also gave them certain rights. It would be sufficient to read Article 6 of that Convention and the report of the Committee set up by the present Conference in order to reach the conclusion that State monopoly was an imperfect system and that in any case it would not contribute to the success of the campaign against opium in Macao. This fact was proved by the information given by the Portuguese delegation to the Conference. Nevertheless, in order not to give rise to a discussion and in order to reach a formula upon which agreement could be obtained, the Portuguese delegation would be ready to recommend its Government to attempt the experiment once more, although it had given bad results on the first occasion on which it had been tried. It should, nevertheless, be understood that the possible future adhesion of Portugal to a system of State monopoly would only be given when circumstances permitted, and that the Portuguese Government remained the sole judge of the moment when those circumstances should have arisen.

To sum up, the Portuguese delegation was of opinion that it was impossible for the Conference to impose one single method of control, that was to say, control by State monopoly to be applied to each country with a view to causing a progressive decrease in the consumption of opium and the eventual complete suppression of that consumption.

This conception was contrary to the spirit and the letter of Article 6, Chapter II, of the Hague Convention, which had up to the moment been respected in all the discussions of the Conference. The Portuguese delegate could not give his approval to any decision which did not take account of the principle contained in this article — above all, when it had given sufficient information to prove that it was in the interests of the campaign against opium for Portugal to act in conformity with this principle.

M. SZE (China) did not wish to discuss Article 6 of the Hague Convention at the moment. He desired merely to ask two or three questions. First, the opening words of the temporary provision included in the French draft agreement were: "In countries where the distribution", etc. He asked the proposer of this temporary provision what countries besides Portugal he had in mind when he drafted that form of words.

Secondly, at the end of the same sentence it was said "that local circumstances render its abolition possible". What were the local circumstances which the proposer of the provision had in mind? If it were to be a temporary provision, how long would the period last? Further, had the temporary provision been a subject of discussion in the Committee of the Conference, and if so, what had been the general conclusion reached?

The PRESIDENT replied that the temporary provision had not been discussed by the Committee.

M. SZE (China) said that he had asked the question because he was under the impression that the French and British proposals had been based on the discussions in the Committee.

M. BOURGOIS (France) desired to explain the situation in the French Indies.

He wished first of all to make clear a special point, namely, that from all the territories of French India the consumer could pass in one hour into British territory in India and purchase the opium which he needed.

In French India, opium was consumed in various ways; at Karikal, Pondichery and Chandernagor it was smoked and eaten; at Mahe and at Yanaon, pills containing opium were made, sweetened according to the taste of the consumer, by means of tea, milk and sugar.

Since 1847, the cultivation of the poppy had been prohibited in all the territories of French India, and since the Convention of March 7th, 1915, any quantity of opium consumed was bought from the Administration of the British Indies. This quantity had been fixed; it could not exceed 689 kg. and it was entirely insignificant. It could be said that the consumption of opium was in no way dangerous in that territory. The quantity required was always bought wholesale, and this point was of interest.

The privilege of importing the opium which was furnished by the British Indian State monopoly was reserved to the French Administration, but the Administration farmed it for a variable period—two to five years—to a certain number of farmers in the various territories under French authority. A series of very strict regulations covered the sale and consumption of opium. He thought it was useless to give details, because of the very small quantity (689 kg.) which was consumed.

The system of State monopoly was not therefore in existence in the French Indies. This monopoly was in the hands of the Government of the British Indies. In the French Indies, the farming system was employed, but the Conference should note that in this case absolute guarantees existed, because the farmers were unable to buy smuggled opium and, further, because the poppy was not cultivated on French territory. The farmers could only procure opium from British India, where the control was so good that contraband was impossible. The adoption of a system of monopoly was impossible because the upkeep of the necessary officials would prove too costly and the situation would not be improved. A system of contract was in force at the moment.

As the quantity of 689 kg. could not be exceeded, and as that quantity was always sold, farmers were not impelled by hope of profit to increase their sales, since the maximum limit had been fixed definitely and could not be exceeded. The retail sellers themselves who bought the opium were kept under supervision and were required to conform to a certain number of regulations.

The licensing system and the system of registration, in which the Conference had shown great interest, were applied in the French Indies. Consequently, those colonies possessed guarantees identical with the monopoly system, even where that system was most rigidly enforced, since the system in the French Indies amounted to a monopoly with licences and registration. The factories were not large, for their boundaries did not exceed 7 to 10 kilometres each. Further, there were more than 60 sub-factories of some hundreds of metres in extent, with an area of from 200 to 300 metres. The introduction of a system of monopoly would therefore cause unnecessary complications and useless expenditure.

Sir Malcolm DELEIVINGNE (British Empire) desired to know the views of the different delegates in regard to the principles contained in the new text presented by the British, French and Japanese delegations, for the discussion in the Conference would thereby be simplified.

The text provided for a complete Government monopoly as far as concerned the importation and the wholesale distribution of opium, whether raw or prepared; it also provided that the preparation for sale of opium for smoking, that was to say, the manufacture of prepared opium, should also be made a monopoly as soon as circumstances permitted. The latter provision had been put in that form because in some territories at the moment (for instance, the French leased territory of Kwang-Chow-Wan) the opium was sold to the consumer in the raw state and the consumer made his own smoking opium. He had understood from M. Kircher that in Kwang-Chow-Wan the authorities were trying to take over the preparation of prepared opium themselves, and that they were ready to make it a Government monopoly as soon as circumstances permitted.

Lastly, the text contained provisions in regard to retail sale. The French delegation had agreed that the principle of limiting the retail sale of opium to Government employees paid a fixed salary, and with no commission on the sales, which could give them an interest in pushing the sales, should be applied experimentally in districts where the Administration was able to exercise an effective supervision, that was to say, in districts which were large centres of population, such as the large towns and the urban districts. In other districts sparsely populated where smokers were few and far between, or where the communities were small and isolated, the retail sale might be conducted by persons duly licensed by the Government. The French system of a yearly licence which could be revoked at discretion might be recommended.

These provisions constituted a substantial advance, though the British Government had gone further and had decided to take over all the retail shops. He thought that the text represented an advance which would be welcomed, and he hoped that the delegates would adopt it.

M. BOURGOIS (France) pointed out that the French delegation only asked the Conference for a conditional acceptance. This acceptance would have to be subordinated to the acceptance by the Conference of a clause similar to Article 10 of the British draft, stating that the provisions of the present agreement would not apply to the import of raw opium for medical and scientific purposes. If such a provision were not adopted, the French authorities would be unable to supply their hospitals and drug-shops.

Prince CHAROON (Siam), Mr. CAMPBELL (India) and M. FERREIRA (Portugal) accepted the draft article.

M. FERREIRA (Portugal) pointed out that his acceptance in no way weakened the statements which he had made at the beginning of the meeting.

The PRESIDENT said that he could also accept the scheme, for the system in force in the Netherlands Indies went further than the proposed system.

Sir Malcolm DELEIVINGNE (British Empire) asked whether the Conference accepted Article 10 of the British draft to which M. Bourgois had just referred and which read as follows :

“The provisions of this Convention shall not apply to the importation or sale of such small quantities of raw opium as may be required for medical purposes by the Government or duly authorised medical practitioners or dentists, veterinary surgeons, or pharmaceutical chemists.”

The PRESIDENT said that he would propose to discuss this article separately. It did not really concern the Convention, for it dealt with raw opium.

Sir Malcolm DELEIVINGNE (British Empire) thought that such an article would be necessary in the Convention, because the new Article 1 referred in general terms to “the importation, sale and distribution of opium”. It would therefore be best if a clause of this kind, which could give rise to no dispute, were included.

M. BOURGOIS (France) did not think it was necessary to insert the article in the Convention. It could be clearly stated in the title that the question concerned opium destined to serve as a basis for the preparation of prepared opium.

The PRESIDENT could not accept this article, for it mentioned the sale of opium. If a Government imported raw opium for medical needs, this was not a sale, and it would therefore only be necessary to make a general exception by stating that the Convention was not concerned with opium imported for medical purposes.

Sir Malcolm DELEIVINGNE (British Empire) saw no objection to amending the form of the article, and thought that the matter could be dealt with by the Drafting Committee. He considered nevertheless that it would be necessary for an article of this kind to be inserted, for if the Convention were limited to the importation of raw opium for the purpose of smoking only, it would permit the importation of raw opium for purposes of general trade.

The PRESIDENT said that he had not asked the opinion of M. Sze on the matter because the Chinese delegate had stated at a preceding meeting that he did not wish to interfere with regulations concerning other Powers.

M. SZE (China) pointed out that when he had made that statement he had referred only to domestic administration. So far as monopolies were concerned, the proposals agreed

upon by the British, French and Japanese delegations tended to provide for complete Government monopolies in their territories; they would be welcomed by the whole world, as also the statement made by the President and by the chief British delegate to the effect that the provisions to be adopted in their respective territories would go further than these proposals. The question of monopoly did not directly concern China. The Chinese delegate, however, would like to see the agreement registered at the Conference expressed in explicit terms. Past experience had shown that, even in the case of the Hague Convention of 1912 in the execution of agreements, certain articles had not been carried out by some Powers in a manner acceptable to other Powers. He therefore appealed to the French, British and Japanese delegates to alter paragraph 2 of their draft by substituting something more definite in character for the phrase "as soon as circumstances permit". The adoption of the provisions at some definite date should be assured.

M. BOURGOIS (France) said, with regard to Article 10 of the British draft, that he was ready to agree either with the solution proposed by the President or with that proposed by Sir Malcolm Delevingne. The wording would have to be somewhat amended. He proposed that the article should read: "The provisions of this Agreement shall not apply to raw opium required for medical and scientific purposes".

The PRESIDENT thought that the words "as soon as circumstances permit", etc. had been introduced to cover the case of the French possessions and Burma. Could the phrase be so altered as to mention a definite date on which those countries should have put the provisions into force?

Mr. CAMPBELL (India) said that this did not apply in the case of Burma; the position there was fully covered already.

M. BOURGOIS (France) insisted that the text submitted to the Conference should be maintained.

M. SZE (China) asked the views of the Conference on the suggestions which he had put forward to the British and Japanese delegates.

Sir Malcolm DELEVINGNE (British Empire) said that, as far as the British Government was concerned, a monopoly was already established in all British possessions.

M. SUGIMURA (Japan) said that the Japanese delegation had already made a formal reservation to the effect that Japan could not adhere to this arrangement. He had adopted an attitude of passive resistance in the Committee of the Conference in order not to create a deadlock.

Sir Malcolm DELEVINGNE (British Empire) said that he did not quite understand the object of M. Sze's request. In the British colonies the preparation of opium for smoking was already a Government monopoly. If M. Sze wanted to know the date on which this measure could be introduced into French colonies, that was not a matter which rested with Sir Malcolm Delevingne. It concerned solely the authorities in the French colonies. M. Kircher, when the draft had been discussed, had given a full account of the circumstances prevailing in Kwang-Chow-Wan.

In Indo-China, the preparation of opium for smoking was already a Government monopoly, and it was only in Kwang-Chow-Wan that opium was sold in the raw state. The French authorities had already begun to introduce the sale of Government prepared opium in Kwang-Chow-Wan and hoped to extend that sale as quickly as circumstances permitted. M. Kircher had said that no date could be fixed but that the intention of the French authorities was to extend the system as much as possible and that they hoped to complete it, if not in a short time, at any rate in the quickest possible time.

M. SZE (China) said that he had not wished to imply by his question that the Conference should interfere in the administration of Indo-China. He had merely asked whether the British and Japanese delegates would agree to alter the text. That was to say, whether they could not find an expression which was a little more explicit and which might at the same time be acceptable to the French delegation. He had only asked the British delegate to make this change because of Sir Malcolm Delevingne's great ability in drafting.

M. BOURGOIS (France) said that a text in order to be really acceptable ought to have referred to smuggling, and in that case it would have been necessary to renew the discussion concerning this point, which it was desirable to avoid.

The Conference adopted the following text prepared by the British, French and Japanese delegates, subject to the principles embodied in Article 10 of the British draft:

"1. Except as provided with regard to retail sales, the importation, sale and distribution of opium shall be a monopoly of the Government, and the right to import, sell or distribute opium shall not be leased, accorded or delegated to any persons whatever.

"2. The preparation for sale of opium for smoking shall also be made a monopoly of the Government as soon as circumstances permit.

“3. (a) The system of employing persons paid by a fixed salary, and not by a commission on sales, for the retail sale and distribution of opium shall be applied experimentally in those districts where an effective supervision can be exercised by the administrative authorities.

“(b) Elsewhere the retail sale and distribution of opium shall be conducted only by persons licensed by the Government.

“Paragraph (a) need not be applied if a system of licensing and rationing of smokers is in force which affords equivalent guarantees.”

Temporary Provision : Last Clause of the French Draft.

The text of the temporary provision proposed by the French delegation read as follows :

“In countries where the distribution of opium among consumers is not in the hands of an administrative department of the Government, the system in force shall, as an exceptional measure, be retained until the Governments concerned consider that local circumstances render its abolition possible.”

M. SZE (China) appealed to the different delegations not to allow this provision to be drafted in such vague terms as that concerning monopolies. The controversy on the subject should be discontinued, for otherwise a very bad impression would be created on the outside world ; also, the Assembly, the Council and the Members of the League would be deeply disappointed if the Conference only succeeded in drafting measures, in regard to the stricter application of Article 6 of the Hague Convention, which were not definite in character and which would have little or no effect.

Sir Malcolm DELEVINGNE (British Empire) said that it was with great surprise and equal disappointment that he had found this article in the draft agreement proposed by the French delegation. The Conference recognised that there must be some period of time allowed during which the changes in the administrative systems of control could be brought about in the territories where, under the terms of the draft Convention, such changes would have to be made. The Siamese delegate, for instance, had indicated that a period of three years would be required before the Siamese Government could bring the new system into full operation.

The article proposed by the French delegation, however, fixed no definite period of time. It left the application of the provisions of the Convention to the discretion of each of the Governments concerned, and was an article for which, as far as he could recollect, there was no parallel or precedent in any former Convention. In the view of Sir Malcolm Delevingne, it was impossible to ask Governments to subscribe to a Convention the application of which in the individual territories was to be left entirely to the absolute discretion of the Governments concerned. Was not the whole object of an international convention to arrange for the simultaneous introduction of the measures provided in it ?

The Conference had been summoned in order to reach agreement as to the measures which could be adopted, in the territories belonging to all the Powers represented, for making more effective the application of Chapter II of the Hague Convention. The assembled delegates had agreed to certain measures and the natural corollary of that agreement would be to fix some date by which those measures were to be applied. In the article in the French draft, however, no date was fixed, but the application of the measures upon which the Conference had agreed was left to the discretion of the individual Governments. In his view, this would knock the bottom out of the whole Convention, and he would have the greatest difficulty in signing a Convention which contained such an article. He did not in the least wish to appear to be in any way hostile to Portugal, Great Britain's oldest ally, but he earnestly appealed to the Portuguese delegate to consider whether he could not agree to some proposal more on the lines of that which had been accepted by the other Governments represented at the Conference in regard to the system of a Government monopoly.

Every country, with the exception of Macao, possessed, he thought, monopoly in some form or other. He thought, too, that it was the universal experience of the Governments which had substituted the monopoly system for the farming system that the former was in every way the better. At any rate in the British Colonies, the introduction of a Government monopoly had been followed by a considerable decrease in the amount of opium consumed. It was upon that ground, that was to say, because of the effect which it produced on the consumption of opium, that the Advisory Committee had made the suggestion, and that the Conference had included the principle of Government monopoly in the draft Convention. He could not give, at the moment, the exact figures as to the actual percentage of reduction which the institution of Government monopoly had brought about in British Colonies. It had, however, been very great in Hong-Kong, and very considerable — as much, he thought, as 26% — in the Straits Settlements, and in the Federated Malay States it had been as much as 56%.

He could not understand, moreover, why a monopoly system should be less advantageous to the Government than a farming system. Under the former system, the Government kept the control entirely in its own hands. There was no private profit, but the profit went

entirely to the Government Treasury, whereas under the farming system the farmer had to pay heavy rent to the Government and to make his own profit as well. Certainly in the old days the farmer had not been content with anything less than a very big profit indeed. He could not therefore understand why the system of a Government monopoly should be considered less advantageous in Macao than a farming system.

The Conference had been called to consider the question of restricting the consumption of opium. It was the universal experience of every country which had tried the monopoly system that that system had the effect of reducing the consumption, and it was on that ground that he urged the Conference to adopt it.

It was recognised that a sufficient period of time must be allowed to bring about the administrative changes necessitated by the adoption of the draft Convention, but he suggested that a period of three years would be sufficient. In the case of Macao the new contract for the farming of the opium supply had, he thought, been concluded in June 1924 and that it expired in June 1927. A period of three years, therefore, would cover the life of the present farming contract in Macao and would, he hoped, give sufficient time to the Government of Macao to make the necessary changes for introducing the new system at the expiry of the present contract.

With regard to the other provisions in the Convention which did not involve any administrative changes, he proposed that they should come into effect within a short time after the ratification of the Convention.

M. BOURGOIS (France) said that he did not wish to begin a discussion of a problem so complex as the superiority of the system of monopoly over the system of farming. He would therefore confine himself solely to the practical standpoint, and all his colleagues, he felt sure, would agree that it would be reasonable to grant a certain period of time in which the change from one system to another might be made. It was for this reason that the French delegation had made its proposal.

M. RODRIGUES (Portugal) desired to give certain explanations with regard to the application of the system of monopoly in the colony of Macao. As regards the period of transition, the special circumstances obtaining in each colony must be borne in mind. He would like to compare Macao with Hong-Kong. In Hong-Kong the regulations were applied very strictly, and if they were examined it would be found, as an argument against the system of monopoly, that it was applied only to small territories and small towns with a floating population. As the British delegate had pointed out, the geographical conditions of Macao were similar in some respects to those of Hong-Kong. In both cities there was a floating population. If it were possible to examine the state of smuggling in Hong-Kong since the application of the monopoly system, and to compare that state with the conditions existing in Hong-Kong before the adoption of that system, he thought that it would be found that smuggling was carried on on a larger scale at the present moment than formerly. In his view, State officials could not be expected to exercise so close a supervision as could persons with a direct interest in discovering contraband opium wherever possible. It was perhaps for this reason that there was less smuggling at Macao than at Hong-Kong. Further, it was not possible to apply a system of registration, because the population was a floating one.

Experiments made in 1918 had shown the Portuguese authorities that opium receipts had practically disappeared but that smuggling still existed. It had been entirely impossible to exercise proper supervision, for that would have necessitated too large a number of officials. It was for this reason that the Portuguese delegation could not agree with the French delegation, for, if the French proposal were adopted, a way would be perpetually open for smuggling. It was necessary, therefore, to proceed little by little, and to make reductions with prudence. The Portuguese Government was determined to make a complete change in the system of control, but it must be allowed time to follow the dictates of experience and wisdom.

M. SZE (China) made an earnest appeal to the Portuguese delegation not to press the point. He agreed with Sir Malcolm Delevingne. While appreciating the difficulties which each administration would encounter when it came to change the system in force, he thought that, in view of the fact that the new contract in Macao had been given to the farmers in June 1924 and would last for three years, at the end of that period, when the contract expired, a new system ought to be introduced.

It was well known that opium was consumed in Macao and that the population there was mostly Chinese. The special conditions referred to by the Portuguese delegate in regard to the floating population of Macao need not be taken into consideration, in view of what had been stated in a letter which M. Sze had received from the representative of the Chinese National Anti-Opium Association. That Association stated that "they would further assure the members of the Conference that they would do their utmost to co-operate with the colonial Governments by undertaking to press in our own country for legislation with a view to prohibiting addicted smokers from leaving the country to settle in those colonies, to refuse the entry into China of addicted smokers returning from those colonies, and to restrict the emigration of Chinese into colonies where the registration and rationing of opium smokers have not been adopted". If the Chinese National Anti-Opium Association agitated for legislation on these lines, the Chinese Parliament would, he thought, certainly enact measures by which the various colonies would be relieved of the fear that the

Chinese would come to them and that they would consequently have to find opium for the Chinese smokers.

He appealed most earnestly to the Portuguese delegation not to press for the adoption of the temporary provision proposed.

M. RODRIGUES (Portugal) thanked the Chinese delegate, but pointed out that the difficulties in Macao would not be removed by the provisions of the agreement proposed, for the Portuguese authorities were entirely convinced, for reasons already given, that the execution of that agreement would have no influence on the position and would achieve no practical result. The reduction of the consumption of opium would merely be a reduction on paper and not in fact. Anyone who was sincere in desiring really to restrict the consumption could not agree to measures which would have that effect.

With regard to the amount of opium consumed by the smokers, the Conference should not forget what he had said concerning the floating population of Macao. Macao was surrounded by very populous countries, and it was possible to enter and leave it several times during the same day. The Conference should not base its calculations solely on the actual population of the town, but should take into consideration the floating population. It was for this reason that the figures submitted in the various reports were incorrect.

In conclusion, he could assure the Conference that the Portuguese Government would act in accordance with the views and principles put forward during the session of the Conference and would do its best to obtain the most satisfactory results possible in the suppression of the opium traffic.

The PRESIDENT asked whether the Conference was in favour of a definite date. If such a date were adopted, could it be accepted by the Portuguese delegation ?

M. FERREIRA (Portugal) said that, in view of the declaration which the Portuguese delegation had made and the reasons given in support of it, he would be unable to sign the Convention without reservations in regard to the period within which the monopoly system was to be applied. He did not wish to repeat the reasons already given, but desired to point out to the Conference that hitherto it had not been found expedient, either at this meeting or at others of the same kind, to lay down a definite time-limit for the execution of any measure. The execution of an agreement or part of an agreement was guaranteed by the good faith of the nations adhering to it. Moreover, without accurate information as to the *circumstances* of the case, it was impossible to fix any time limit, for there was the danger of arriving at just the opposite result from that desired. Hitherto, no time limit had been laid down for the total suppression of opium for smoking or for the fixing of the number of smokers or the quantity of opium to be allowed for each smoker. The Conference had followed the same principle as regards the registration of smokers and the less important question of the time within which the retail sale of the dross was to be suppressed.

To adopt a different method in the case of State monopoly would be an unfair innovation from the point of view of any country which pursued some other method because it found it better, but which, nevertheless, undertook to apply a fresh system—that of State monopoly—which it found less good.

The Portuguese delegate was of opinion that any decision not based in principle and in practice on the above could not fail to introduce complications which would serve no useful purpose. The Portuguese delegation felt that its attitude was fully justified, and would be obliged, to its great regret, when signing the draft agreement, to make reservations concerning the time-limit.

The PRESIDENT understood from the reply of the Portuguese delegate that no temporary provision would be inserted in the Convention, but that Portugal would sign it with reservations.

M. FERREIRA (Portugal) agreed. He could not sign the Convention, moreover, without authority from his Government, an authority which he had not yet received.

Introduction of the System of Registration and Rationing by the Countries which have not yet applied it : Proposal of the French Delegation.

The PRESIDENT submitted the following proposal of the French delegation and enquired whether the Siamese delegate agreed to it :

“It has been pointed out to the Conference that in some countries the system of licences (or registration) and rationing has been successful in diminishing the number of consumers.

“At the same time, the Conference has found that in other countries the contraband trade, which equals and even surpasses in extent the legitimate trade, renders the application of this system useless and in some cases dangerous.

“Accordingly, the Conference declares that the possibility of adopting these measures or of maintaining them in those territories where they are now working successfully depends entirely upon the extent of the contraband trade.

“It therefore leaves to the Contracting Powers which have not yet applied this system the duty of selecting the moment when circumstances will allow of its adoption and of taking in the meantime all such preparatory measures as they may deem expedient.”

Prince CHAROON (Siam) stated that he was prepared to accept the text.

Sir Malcolm DELEIVINGNE (British Empire) proposed that the word “principally” should be substituted for the word “entirely” in the last line of the third paragraph.

The Conference adopted the draft, with the amendment proposed by the British delegate.

Interchange of Information: Article 9 of the British Draft and Article 11 of the French Draft.

On the proposal of the PRESIDENT, the Conference decided that the drafting of the combination of Article 11 of the French draft and Article 9 of the British draft, both of which concerned the interchange of information, should be left to the Drafting Committee.

Inspection of Opium Shops and Public Opium Dens: Article 7 of the French Draft.

The text of Article 7 of the French draft read as follows :

“The representatives of the authorities shall have access to opium shops and public opium dens at all hours of the day and night and may carry out on such premises any inspections, searches, etc., that they may consider necessary, without the assistance of a police officer.”

Sir Malcolm DELEIVINGNE (British Empire) was prepared in principle to accept this article. He proposed that it should be sent to the Drafting Committee for the final text to be established.

The PRESIDENT said that he could not accept it. The right of search must be placed on the same footing in regard to opium as it was in regard to other goods. He could not, therefore, agree to the phrase : “The representatives of the authorities shall have access to opium shops and public opium dens”, etc.

M. BOURGOIS (France) did not press for the adoption of this article.

The Conference decided to suppress this article.

Review of the Position in regard to the Application of Chapter II of the Hague Convention: Article 11 of the British Draft.

The text of this article read as follows :

“The Contracting Governments agree that they will jointly review from time to time, at such dates as may be mutually agreed, the position in regard to the application of Chapter II of the Convention in their respective Possessions or Territories.”

Sir Malcolm DELEIVINGNE (British Empire) explained that Article 11 had been drafted to give effect to the last suggestion contained in resolution 2 adopted by the Advisory Committee during its fifth session. That suggestion was to the effect that the position should be reviewed periodically by the Powers interested. It seemed to him highly desirable that the application of Chapter II of the Hague Convention should be periodically reviewed by the Powers interested. He had not suggested any fixed date because he doubted whether he could find a suitable one. He contemplated, however, that the question of reviewing the position might be taken up in three years' time when it was to be hoped that the general position would have changed for the better.

M. SZE (China) agreed with the proposal of the British delegate. He thought it would be most useful to have a periodical review of the situation at a fixed date, perhaps every three years. The first period of three years, however, might be difficult because some countries would not have completely abandoned the farming system by the end of the third year; it was possible, therefore, that a longer period for the first review would be necessary. Whatever the period chosen, however, he hoped that it would be a fairly definite one, so that each country would know when it would be expected to review the position. Further, this would be of assistance to the anti-opium campaign of China.

The PRESIDENT proposed that the period should be not longer than five years.

M. SZE (China) proposed that the first period should not be more than five years and after that the periods should be not more than three years.

The PRESIDENT thought that the matter could be left to the next Conference for a decision.

Sir Malcolm DELEIVINGNE (British Empire) enquired from what date the period of five years would run.

After a short exchange of views, *it was decided* that the Conference should recommend that the next Conference to review the position should be called not longer than five years hence.

Use of the Fiscal Resources derived from the Legalised Importation of Raw Opium, and the Manufacture, Sale and Consumption of Prepared Opium : Proposal by the Chinese Delegation.

The PRESIDENT laid before the Conference the following proposal submitted by the Chinese delegation :

“That fiscal considerations will not be allowed to influence in a prejudicial manner the character of the measures to be taken for the progressive and ultimately complete suppression of the legal use of prepared opium ; and that the incidental public revenues derived from the legalised importation of raw opium and the manufacture, sale and consumption of prepared opium, as well as from fines and confiscations imposed and collected as a result of legal convictions, of violations of the laws regulating the manufacture and use of raw and prepared opium and the importation of raw opium, be wholly devoted to measures for the prevention of the acquiring of the vice of smoking opium, for the humanitarian care and treatment of addicts, for the general social and economic betterment of the classes of the people who are especially addicted to the use of prepared opium, and for meeting the administrative expenses of enforcing the laws against the illegal importation of raw opium and the manufacture, sale and consumption of prepared opium.”

M. SZE (China) said that the meaning of his proposal was too clear to need any explanation. He thought that it would prove acceptable to the delegations because, as the Conference had already been informed by more than one of its members, revenues derived from the sale of raw opium were now used to a great extent for the welfare of people indulging in the opium habit.

M. BOURGOIS (France) said that large sums of money were spent in Indo-China on propaganda, on free dispensaries, etc.—in fact, in Indo-China all the provisions of the Chinese proposal were already fulfilled. The expenditure, however, came out of the general budget of the country and the Chinese proposal was therefore contrary to the provisions of French fiscal legislation and probably of the fiscal legislation of most countries represented at the Conference. The principle in the French territories, as in others, was that there should be one budget covering all expenditure, and thus revenue from a special source could not be earmarked for expenditure on a special object.

Mr. CAMPBELL (India) agreed with M. Bourgois. The position was precisely the same in India. Particular items of revenue were not earmarked for particular expenditure.

M. FERREIRA (Portugal) agreed with the French delegate for the same reasons.

The PRESIDENT quoted the declaration made at the Shanghai Conference by the Netherlands representative :

“The Netherlands Government, being convinced of the desirability of restricting the use of opium, will never be prevented by financial considerations from taking such measures as will in its opinion genuinely effect the gradual decrease in consumption.”

As far as the second part of the Chinese proposal was concerned, the Netherlands could not accept it, for the same reasons as those put forward by the French delegation.

Prince CHAROON (Siam) said that the Siamese Government was not autonomous in fiscal matters.

Sir Malcolm DELEVINGNE (British Empire) said that he had considerable sympathy with the resolution, at least as far as the first part was concerned, because it enunciated what he believed was the policy of his own Government and of other Governments also. It was difficult, however, to suggest the acceptance even of the first part, because it would seem as though the Conference were trying to lay down a fresh principle and to suggest something which was not the present practice of Governments. Certainly as regarded Hong-Kong and the other British colonies, the British Government would not be guided by financial considerations when the possibility of taking further measures arose. The first part of the Chinese proposal did not, he thought, add anything of value to the Convention.

With regard to the second part, from a fiscal point of view, he shared the views expressed by other members of the Conference, that sound finance did not allow the earmarking of any particular source of revenue. This, however, was a technical difficulty. There was also a practical one, which was that, if a Government set aside all the revenue which it derived from its opium monopoly and devoted it to new schemes of welfare, it would find itself launched on a programme the funds for which would gradually decrease from year to year till there was no revenue left at all for the fulfilment of that programme. If, for instance, a Government adopted a new scheme of secondary education or of largely increased

hospital accommodation based on its revenue from opium, by the time the use of prepared opium had come to an end and the monopoly had therefore disappeared, no revenue would be left to support these schemes. This, he thought, was a very serious objection.

He stated, on behalf of the British Government, that a very large amount of money was already being spent in the British colonies on measures for the welfare of the populations of those colonies.

M. SUGIMURA (Japan) said that, though the Chinese proposal touched the essential point of the question and though the Japanese delegation had made certain general reservations regarding it, he felt it his duty to point out that, in his view, the question was not a financial one. The Conference must keep before it the moral aspect of the problem. The revenues derived from opium constituted a very important part of the receipts from colonies. In the case of Singapore, for instance, estimates of the revenues derived from opium for the financial year 1925 were 48% of the total. This was not merely the case for the year to which he had referred, for about one-half of the total revenue of the colony had been derived from opium for some years past. The revenue was derived from taxes paid by Chinese coolies.

He therefore made a warm appeal to the Conference to reduce the amount of revenue derived from opium in the colonies belonging to the various Members of the League. It was beneath a nation's dignity to derive so much revenue from opium. If absolutely necessary, one-quarter or one-fifth of the revenues might be so derived, but not one-half. He had frequently urged the Conference to view the problem from a humanitarian point of view and not from an economic point of view. So far as the Japanese Government was concerned, the revenues derived from opium were growing less each year in the island of Formosa. On the other hand, the working power of the population was increasing and the budget of Formosa was in a flourishing condition.

The question of opium was purely a moral and humanitarian one. Even from the economic and financial point of view, a sacrifice of revenue from opium was in reality a gain, since the productive power of the nation increased.

Prince CHAROON (Siam) agreed that the opium revenue must be replaced by other sources of revenue. This could not take place, however, until other sources had been found.

M. BOURGOIS (France) proposed to insert in the preamble to the Convention some such words as: "the High Contracting Parties, animated solely by humanitarian principles..."

M. SZE (China) could not conceal the great disappointment with which he had followed the discussion. The question was, in his opinion, an entirely humanitarian one and he thought that all countries represented on the Conference desired to help opium addicts. Sir Malcolm Delevingne, he thought, had misunderstood his proposal. He had not asked that any of the revenue derived from opium should be used for education. He desired merely that it should be used for the benefit of the opium addicts.

Sir Malcolm DELEVINGNE (British Empire), referring to the proposal, said that the words "general social and economic betterment of the classes of the people" seemed to him to cover everything concerned with social betterment. Education was one means of attaining this end. Governments of the British colonies which derived revenue from the sale of opium made great efforts to assist opium addicts.

M. SZE (China) thanked Sir Malcolm Delevingne for this information. In reply to the point raised by M. Bourgois, to the effect that it was impossible to earmark revenue for a special purpose, he thought that the difficulty would be met by making a conservative estimate of the amount of revenue to be derived from opium and then by using that amount in the budget for expenditure on the purpose mentioned in his resolution.

He was grateful for the information given by the Japanese delegate as to what was being done in Formosa. It was the duty of a Government deriving revenue from the sale of opium to do something for that part of the population from whom such a large revenue was derived.

M. BOURGOIS (France) said that the point raised by the Chinese delegation was covered by the proposal of the French delegation, which had been accepted. The principle of budgetary unity was a principle of the French Constitution, as was probably the case in other countries.

Mr. CAMPBELL (India) thought that the proposal was irrelevant, since the question was not covered by the terms of the Hague Convention. He repeated a statement which had often been made by the Government of India, that it had no regard to financial considerations when framing its opium policy. The revenue derived by the Government of India from excise opium was approximately 1½ per cent of the total revenue. The actual revenue from excise opium per head of the population in India was 2d. per annum.

M. SZE (China) appealed once more to the members of the Conference. It had been said, and it was a proved fact, that the opium sold in the various colonies went mostly to

Chinese. While he had no intention of interfering in the internal administration of these various colonies, he appealed to their Governments on humanitarian grounds to use the revenue derived from opium for the most part, if not entirely, for the improvement of that class of the population which smoked opium.

Mr. CAMPBELL (India) was surprised at the Chinese delegate's insistence on the question, in view of the situation in China itself. He read the following passages from the annual report of the International Anti-Opium Association :

"The enormous revenues derived from this traffic are a blight upon China's civilisation."....

"\$500,000 was collected in opium taxes in a little over a month by the Joint Army Office at Ichang; over \$5,000,000 per annum is collected in opium taxes by the Kuangsi monopoly; about \$1,000,000 is collected on opium in transit at Nanking in Kuangsi; \$15,000,000 was raised by the taxation on opium in Shensi in 1923; the Ying Chow district of Anhwei alone was taxed over \$500,000 in 1923, and the total tax for the province is known as over \$3,000,000; the Government monopoly at Amoy is expected to raise \$500,000 a month in taxation and licences; Fukien militarists planned to raise \$15,000,000 in opium taxes in 1923. These are but a few substantiated items concerning revenue arising out of the traffic and form but a small fraction of the whole."

The principle of publicity had been much insisted on during the meetings of the Conference, and his own view was that frankness and plain speaking in these matters were essential. In so far as the Government of India was concerned, he had explained the position. Its figures were published, and had always been published, for the last fifty or sixty years.

The objections urged against the Chinese proposal were, he thought, valid, and could, he suggested, have been accepted by M. Sze without it having been necessary for the Chinese delegate to continue to push a point which seemed to Mr. Campbell to serve no useful purpose.

Sir Malcolm DELEIVINGNE (British Empire) thought that the speeches made by the Chinese delegate in support of his motion gave a somewhat different colour to the Chinese proposal. He had appealed to the Governments represented at the Conference to do something for the opium smokers and the classes from which the smokers were drawn. This almost amounted to a suggestion that those Governments were at the moment neglecting these classes and doing nothing for them. It would be most unfortunate if this impression remained. He claimed no special credit for the British Government, for other Governments were proceeding on the same lines, but he was in a position to state that in the British colonies the care for Chinese subjects in all matters described by M. Sze as concerned their social and economic betterment stood as high as in any country in the world. He desired once more to repeat that the British Government would never be deterred by any financial considerations from carrying out its obligations under the Hague Convention.

M. SZE (China), in reply to Mr. Campbell, said that his proposal had related to public legal revenues and not to the illegal exactions made by persons who were in opposition to the Government.

In reply to Sir Malcolm Delevingne, M. Sze recognised that Great Britain was doing a great deal in her colonies, and he fully accepted Sir Malcolm Delevingne's assurances on that point. If the wording of his proposal gave rise to objections, he was fully prepared to accept any suggestions as to its amendment. He desired, however, to make this appeal to the Governments to help that class of the population which deserved the sympathy of the whole civilised world.

M. BOURGOIS (France) was glad to know that the Chinese delegate agreed with the French point of view that the financial administration of most of the Powers prevented the adoption of the second part of the Chinese proposal.

With regard to the first part, he maintained his proposal to insert in the Preamble to the Convention the text which he had already submitted to the Conference.

M. SZE (China) said that he certainly did not desire to interfere with the budgetary system in force in any colony. On humanitarian grounds, however, something, he thought, should be done for the Chinese, from whom a large revenue was derived owing to their use of opium.

He was not satisfied with the French proposal to insert the words "The High Contracting Parties, animated solely by humanitarian principles, agree...". But, *faute de mieux*, he would accept it with regret.

On the proposal of the PRESIDENT, the Conference adopted the principle of the French delegation's amendment, and submitted it to the Drafting Committee for final consideration.

27. Appointment of a Drafting Committee.

The Conference appointed the delegates of the British Empire and France, together with the President, to form the Drafting Committee.

28. Introduction of the System of Registration and Rationing by the Countries which have not yet applied it: Proposal of the French Delegation.

M. SZE (China) made the following statement :

“The Chinese delegation greatly regrets that it is unable to accept the proposal of the French delegation. The Conference has not been furnished, in the opinion of the Chinese delegation, with evidence which conclusively demonstrates that, in some of the territories of the Powers in the Far East, the amount of smuggled opium equals and even surpasses in extent the legitimate trade, and that the application of the system of licences (or registration) is thereby rendered useless and in some cases dangerous. The Chinese delegation, therefore, regrets its inability to participate in a statement that such is a determined fact.

“The Chinese delegation also regrets its inability to accept the conclusion contained in the last paragraph, namely, that the Conference should formally approve the proposition that those of the Contracting Powers which have not yet adopted the system of licences (or registration) shall be under no obligation to do so within a definite period of time, but that each shall undertake merely to select the moment when circumstances will allow of the adoption of the scheme and to take, in the meantime, such preparatory measures as they may deem expedient.”

The declaration was noted.

EIGHTEENTH MEETING

Held at Geneva on Monday, November 24th, 1924, at 4 p.m.

President : M. van WETTUM (Netherlands).

29. Examination of the Proposals of the British and Japanese Delegations concerning Exportation, Importation and Transhipment of Opium.

The PRESIDENT called attention to the draft Agreement (Annex 13) drawn up by the Drafting Committee, but suggested that the Conference should first take up the question upon which agreement had not yet been reached, namely, the question of export, import and transhipment contained in Article 4 of the original British draft Agreement and in the Japanese proposal.

Article 4 of the British draft Agreement read as follows :

“The export of opium, whether raw or prepared, from the possessions or territories, shall be prohibited.”

The revised proposal of the Japanese delegation, which had been submitted together with an explanatory note (Annex 12), was as follows :

“1. The exportation, importation and transhipment of opium are prohibited

“2. Exportation and importation shall be permitted when the goods are accompanied by a separate certificate of importation.

“3. Transhipment shall be allowed when the goods are further accompanied by a through bill of lading.

“4. The port authorities, after verifying the authenticity of these documents, shall abstain from all vexatious measures which might constitute an unjust discrimination based on the nationality of the vessels or the origin of the goods.”

The President pointed out that he had consistently abstained during the meetings of the Conference from putting any proposal to the vote, because of the great desirability of reaching a unanimous decision. The divergence of opinion, however, which had manifested

itself in regard to Article 4 of the British draft Agreement, might necessitate a vote and he therefore proposed the following procedure :

1. Endeavour should be made to reach agreement on a text regarding the export of raw and prepared opium.
2. If this should prove impossible, the Conference should try to reach agreement on a draft Convention containing no reference to export.
3. If it were unsuccessful in this, a vote would be taken with regard to the provisions in the Convention concerning export, with the object of determining the views of the majority of the Conference in regard to this matter.

By following this procedure, the maximum amount of agreement among the Powers represented at the Conference would be obtained.

The Conference agreed to the procedure proposed by the President.

M. SUGIMURA (Japan) said the Japanese point of view regarding this matter had been stated at a previous meeting and also in a further document which had been distributed to the members of the Conference (Annex 12).

Sir Malcolm DELEIVINGNE (British Empire) said that, as the Japanese delegation had distributed a memorandum containing its views and had also issued a communiqué to the Press, he desired to be allowed an opportunity of presenting the British case, but for the moment he would confine himself to saying that he had received instructions from his Government not to accept the Japanese proposal.

Mr. CAMPBELL (India) said that he had also received instructions from his Government, which approved the attitude he had adopted and instructed him to maintain it.

The PRESIDENT noted that it appeared to be impossible to obtain a unanimous agreement regarding the provisions to be inserted in the Convention dealing with the export of raw and prepared opium. He therefore proposed that the second method of procedure should now be adopted and that the Conference should endeavour to reach agreement on the text of a draft Convention which would contain no reference to export whatever.

The Conference agreed to this procedure.

M. SUGIMURA (Japan) said that the question of export, import and transshipment was one which logically ought to be dealt with in an international agreement. The Conference had discussed a large number of questions on which agreement had been reached, but they had all been questions of an internal nature and possessed only an indirect influence on international relations.

In the memorandum which he had submitted to the Conference he had explained very clearly the reasons for the attitude taken by the Japanese delegation. The question was one of principle. It affected the mutual respect and confidence which ought to exist between all nations. If they did not exist, the Japanese delegation would be obliged to state that it could not adhere to any agreement and that it would feel unable to advise its Government to do so. If no account were taken of these principles of mutual respect and confidence, any agreement reached by the Conference would to all intents and purposes be valueless. Consequently, in the name of justice and humanity, he warmly appealed to all the members to weigh the matter very carefully, for if there were a divergence of opinion on this question the results achieved by the Conference would be valueless.

Sir Malcolm DELEIVINGNE (British Empire) thought that it was most important to insert in the Convention a clause prohibiting the export of opium from those Far-Eastern territories in which the use of opium was still continued. Such prohibition was one method, though an indirect one, of effecting the limitation of the amount of opium imported into those territories. He thought that in all, or almost all, the territories in question the only purpose, apart from strictly medical purposes, for which opium was required was for the maintenance of the Government monopolies or the farms. It was well known, however, that a considerable amount of opium was exported from those territories, either openly or secretly. In the view of the British Government, therefore, a definite and absolute prohibition of any export of opium from those territories would be a very valuable provision in any Convention, and it was for this reason that he had inserted such a provision in his draft.

At first he had contemplated an addition to his proposal, providing for the prohibition of the passage of opium through those territories either by way of transit or transshipment, except under certain conditions and subject to certain regulations. In view of the objections raised by the Japanese delegation, however, and in order to reduce to a minimum any points about which a difference of opinion might arise, the British delegation had withdrawn

its proposal, though it attached importance to it, and had thought it best for the Conference to confine itself to the most important point, which was the prohibition of export. An article providing for such prohibition would, be thought, meet with the support of all Powers which had territories within reach of the Far East, since opium was being smuggled to Australia, to the United States, to the Phillipines, and to other places, and the Conference should do all in its power to put an end to this state of affairs.

M. SUGIMURA (Japan) asked for an explanation regarding the wording of the British proposal. Should the words "where the use of prepared opium is continued" figure in the text ?

Sir Malcolm DELEIVINGNE (British Empire) replied that the discussions in the Conference had referred entirely to the possessions and territories in the Far East in which the smoking of opium was still continued in pursuance of Chapter II of the Hague Convention. The draft article submitted by the British delegation was intended to apply only to such possessions and territories. Article XIII of the draft Agreement prepared by the Drafting Committee and submitted to the Conference contained a definite stipulation to the following effect :

"The present Agreement applies only to the Far Eastern possessions or territories of the Contracting Powers, including leased or protected territories in which the use of prepared opium is temporarily authorised."

M. SUGIMURA (Japan) thanked Sir Malcolm Delevingne for his explanation.

The PRESIDENT took note of the fact that it appeared impossible for the Conference to reach agreement on a Convention which should make no mention of the question of export. He therefore proposed to ask the members of the Conference in turn to express their opinion with regard to the principles contained in the proposal of the Japanese delegation and those contained in the British proposal.

M. SZE (China) said that the Chinese people earnestly desired to see the end of the abuse of opium and other narcotics at the earliest possible date. Any method of achieving this, proposed by the Conference, would have the full support of the Chinese delegation. He agreed to the first and last paragraphs of the Japanese proposal, which he thought had not aroused any comment. With regard to paragraphs 2 and 3, the Chinese delegation was open to conviction as to whether there were better methods than those proposed, but was also in favour of inserting in the Convention something on the lines suggested by Sir Malcolm Delevingne, that was to say, that the re-export of opium in all Far Eastern territories should be absolutely prohibited. He would consequently like to see the principles contained in paragraphs 2 and 3 of the Japanese proposal adopted, with the addition of that part of the proposal of Sir Malcolm Delevingne which he had indicated above.

The PRESIDENT pointed out that the Japanese proposal as a whole had been discussed by the Conference, and that it was for this reason that no comments had been made with regard to paragraph 4 of the proposal. He himself could not accept it, because in an international arrangement, concluded under the auspices of the League, such a paragraph, stating that the "port authorities, after verifying the authenticity of those documents, shall abstain from all vexatious measures which might constitute an unjust discrimination based on the nationality of the vessels or origin of the goods", was inadmissible.

Sir Malcolm DELEIVINGNE (British Empire) did not understand the position of the Chinese delegate. M. Sze appeared to have accepted paragraph 2 and 3 of the Japanese proposal, provided that Sir Malcolm Delevingne's proposal were added to them. In his view, however, paragraph 2 of the Japanese proposal was quite inconsistent with his own, which was that the export of opium, whether raw or prepared, from the Far Eastern territories or possessions, should be prohibited. Paragraph 2 of the Japanese proposal said that exportation should be permitted when the goods were accompanied by a separate import certificate. He would like to know how the Chinese delegate could reconcile these two apparently contradictory proposals.

He desired to state the views of the British delegation on the Japanese proposal. The proposal which he (Sir Malcolm Delevingne) had put forward was simple and clear. The British delegation desired to put an end to the export of opium, whether raw or prepared, from any Far Eastern possession or territory into which opium was being temporarily imported for the purposes of smoking. The Japanese proposal dealt with two main points, export and transshipment, though the Japanese delegation appeared to attach more importance to transshipment.

The new proposal of the Japanese delegation was the same in substance as its original proposal, and its effect was that the Powers represented at the Conference were to bind themselves to allow the export of opium from their territories to any destination whatever, provided that that export was covered by an import certificate issued by the Government

of the importing country. In the case of transshipment, the proposal was to the same effect, with a further addition that consignments must possess a through bill of lading. The fourth paragraph of the proposal was the one which the President had just quoted, and Sir Malcolm Delevingne did not understand whether the article was intended to refer to transshipment only or also to export. In the case of export, the practice in Great Britain, and, he believed, in most countries, was that the licences for the export of consignments of opium or the drugs were not granted by the port authorities as all, but by the Central Government. Paragraph 4, therefore, would have no application, so far as British possessions were concerned, to the export of opium, but would be applicable only in the case of transshipment.

The Chinese delegate appeared to think that all the members of the Conference were agreed on paragraph 4 of the Japanese proposal. They were certainly agreed as to the sentiments it expressed, but he thought that the Japanese delegation, by putting forward such a proposal, was implying that certain Powers, of whom Great Britain was one, were "taking vexatious measures which might constitute an unjust discrimination based on the nationality of the vessels or the origin of the goods." He repudiated such a suggestion in the most emphatic manner possible. It was a most unjust charge to bring against a friendly Government.

The British authorities were taking no measures of this kind, but were doing what they considered it to be the duty of a Power which had signed the Hague Convention to do, that was to say, they were impeding as far as possible the transport of opium in the Far East for illicit purposes or to destinations from which it might be re-exported and finally used for illicit purposes. He had abstained from bringing any definite charges against any country. In particular, he had made no charge against the Japanese authorities, but it was notorious that opium and other dangerous drugs, which were consigned to certain destinations in the Far East, did find their way, no doubt in many cases without the knowledge of the Government or its authorities, into the illicit trade. He was therefore unable to accept paragraph 4 of the Japanese delegation's draft, because he thought that by doing so he would be admitting as true a charge which had been publicly brought against his Government in the Conference.

Even if paragraph 4 were accepted, it would be of very little value. It would be full of debatable points which would give ample employment to lawyers for the next quarter of a century. Who was to decide what constituted "vexatious measures" or what was "an unjust discrimination" based on the nationality of the vessels or the origin of the goods? Further, who was to decide whether a Government, in putting certain restrictions on the transshipment of a consignment, was acting from motives connected with the nationality of the vessels or the origin of the goods? In his view, therefore, the paragraph, even for the purpose which the Japanese delegate had in mind, was quite without value.

He had seen in the Press the suggestion that the British attitude in this matter had been dictated by commercial motives. It was alleged that the British authorities had put restrictions on certain kinds of opium in order to favour trade in other kinds of opium grown on British territory. It was impossible to find words strong enough to condemn such a suggestion, which was similar to the falsehood circulated during the previous year to the effect that the efforts made by Great Britain to promote an agreement for the limitation of the manufacture of morphine, heroin and cocaine had been dictated by a desire to get the control of this manufacture into British hands. He referred to this suggestion merely in order to have an opportunity of denying it in the most emphatic manner possible.

He had already fully submitted to the Conference the case of the British Government. In its view the position was quite clear. The Japanese proposal was in effect that Governments should tie their hands and weaken their powers to suppress the illicit traffic. He had consulted his Government and his instructions were quite definite. The British Government was not prepared to tie its hands or to accept any proposal which would prevent it from taking any measures it might consider necessary in the interests that the Conference had met to promote, that was to say, in the interests of the suppression of the illicit trade in opium and other dangerous drugs.

He did not fully understand what complaint the Japanese delegation had to make regarding the attitude of the British Government or of the Colonial Government of Hong-Kong. There had been an exchange of correspondence between the Governor of Hong-Kong and the British Government as to what action should be taken with regard to import certificates issued by other Governments and presented to the Hong-Kong Government for the purpose of covering the transshipment of consignments of opium. The Governor of Hong-Kong had considered that he should require that these certificates should bear the visa of the British Consul in the countries in which they were issued. The Japanese Consul General in Hong-Kong had requested that the visa issued by himself should be accepted. The Governor of Hong-Kong had referred the matter to the British Government, which had instructed him to accept either the import certificate issued by the Japanese Government itself or a visa issued by the Japanese Consul-General on the instructions of the Japanese Government. He hoped that this information might remove any doubt existing in the minds of the Japanese delegation.

The British Government did not admit that it had ever acted in a vexatious manner or that it had ever exercised an unjust discrimination. Its actions had been dictated solely by its desire to prevent consignments of opium or other dangerous drugs from passing into the illicit trade. Commercial considerations had never had the slightest weight. He was therefore prepared to give the most formal assurance to his Japanese colleague that such considerations had not, and never would, influence the British Government in the matter, and he was quite willing to hold private conversations with the Japanese delegation with a view to drafting a formal stipulation embodying that assurance. He thought that such a stipulation was hardly necessary, but he was anxious to leave no stone unturned to achieve unanimous agreement.

M. SUGIMURA (Japan) said that he would deal merely with the question of transit and transshipment. He thought that there was a misunderstanding with regard to this question. He had explained in the note distributed to the Conference the Japanese point of view in regard to this question. He begged leave to repeat this explanation :

“(b) When the goods are further accompanied by a through bill of lading, clearly indicating the ports of origin and destination, the formalities attending transshipment in an intermediary port should be reduced to a minimum.”

The only object in the mind of the Japanese delegation was to protect the system of import and export certificates and to maintain mutual confidence between nations.

Further, M. Sugimura felt himself obliged to point out that the duty of policing the whole world in regard to the illicit traffic in opium had never been granted to Great Britain. Great Britain possessed ports in all countries of the world and its moral influence was very great, but it could not assume such a duty.

With regard to the policy to be pursued concerning the illicit trade in opium, he pointed out that in Formosa complete and absolute abolition of the use of opium would be achieved in about ten years. No other territory in the Far East, except perhaps China, would be able to achieve such a result. Japan would always collaborate with China in completely suppressing the smoking of opium at Konantong. When this was achieved, there would be no smokers of opium and no licit or illicit traffic. In Formosa the number of opium smokers had decreased by 82% at the close of a period of little over 20 years of the Japanese regime. The figure had now fallen to 18%. Persons smoking opium at the moment were for the most part more than 50 years old and were gradually dying off. When they had all died there would be no more opium smokers in Formosa and the question of the illicit trade would therefore not arise.

The matter not only concerned Great Britain and Japan, it was of concern to the whole world. If, however, the delegate of the British Empire desired to collaborate with him (M. Sugimura) in drafting a new text, he was most ready to do so. The desire of the Japanese delegation was to reach an agreement based on mutual conciliation. He was therefore fully prepared to co-operate with Sir Malcolm Delevingne. He desired once more to make it clear that the question was one of principle to be discussed by the whole Conference.

M. SZE (China) explained that he approved the fourth paragraph of the Japanese proposal because it stated a correct general principle, but that, in doing so, he had no intention of criticising any Power as having violated it. As regarded the statement of Sir Malcolm Delevingne, that his position regarding the British and Japanese proposals was an inconsistent one, he said that he could show that this was not the case, but that he would not take the time of the Conference to do so at this juncture.

M. BOURGOIS (France) said that in Indo-China the exportation, importation, transshipment and transit of opium were entirely prohibited. Consequently, he could easily agree to the text proposed by Sir Malcolm Delevingne. Further, in a spirit of conciliation, he had been ready to accept the principles underlying the proposal of the Japanese delegation, to the effect that exportation, importation and transshipment should be prohibited, except when goods were accompanied by a separate import certificate.

Mr. CAMPBELL (India) submitted the views of his Government. He desired to repeat that the Government of India had not approached the question in any attitude of suspicion or mistrust. Its position had always been that it normally accepted without question the certificates given by consuming countries. The responsibility rested primarily upon the consuming countries. On the other hand, the Government of India maintained that it could not carry out the obligations it had undertaken under the Hague Convention unless it reserved the right to refuse to export opium when it was thoroughly satisfied that that opium was intended for illicit purposes.

The issue was a very simple one. Was the Hague Convention to be maintained or was it to be broken up and destroyed? The delegates attending this Conference were experts, most of them had dealt with the opium problem for four years, and he felt sure that there was not one single member of the Advisory Committee on the Traffic in Opium who did not

know, as an unchallengeable fact, that if the principle that the exporting countries were to be obliged to export opium on the mere production of a certificate from the importing country were accepted, the Hague Convention would be completely destroyed. He had purposely refrained from making any charge against any Government, but all the members of the Advisory Committee knew perfectly well—though perhaps the public did not know—that there were Governments whose certificates were not on the same level as the certificates given by other Governments.

The Japanese delegation had on a former occasion said that India dealt with the question solely upon economic and financial grounds. He had already repudiated that allegation. Such motives had not influenced the Indian Government; and it was quite clear that, if they did influence it here, India would have gladly accepted the proposal of the Japanese delegate. In refusing to accept such a proposal, India was imposing restrictions upon herself. If she accepted it, she would be freeing herself.

He fully supported the comments made by Sir Malcolm Delevingne on the statements communicated to the Press to the effect that the British and Indian Governments were acting from economic and commercial motives. Such a suggestion—the policy of the Indian Government had been described as Machiavellian—was ridiculous and wholly unjustified. Had such a policy been in fact pursued, the results showed that it had been singularly unsuccessful. The position of India was well known. All the figures in regard to opium had been published for the last sixty years and were open to the whole world. An examination of these figures would show that there had been a rapid and continuous drop in the exports of opium from India. If, therefore, the alleged Machiavellian policy had been adopted in order to promote exports from India and, as India was the only British possession in which opium was grown, if that policy could only have been adopted in regard to her, then it had proved singularly and completely unsuccessful. The issue was perfectly simple. Was the Hague Convention to be maintained or was it to be destroyed?

M. SUGIMURA (Japan) said that the delegate for India had declared that States could not bind their hands in regard to this question. In the explanatory note which he had submitted to the Conference it was said:

“1. Certificates are only to be delivered for purposes of legitimate consumption. Any Government illegally delivering a certificate would thereby be violating the solemn international engagement constituted by the strict obligations of Article 1 of the Covenant of the League, to say nothing of that good faith which is the fundamental principle of international law. The other contracting countries would then be entitled to take all suitable measures to put an end to such a state of affairs and to obtain due reparation.

“2. In cases in which false certificates are produced, all the ordinary rules in respect of offences of this kind may naturally be applied. All that the competent authorities of the countries concerned need do is to set in motion the usual judicial and penal procedure to punish the offence which has been committed.”

In the Japanese proposal the right had therefore been entirely reserved for each nation to take what steps it thought proper in regard to cases of illicit trade. The Japanese proposal was solely concerned with safe-guarding the legitimate trade.

The delegate for India desired to protect the Hague Convention. The Hague Convention spoke only of gradual and effective suppression. M. Sugimura preferred absolute and complete suppression.

M. RODRIGUES (Portugal) said that, from a practical point of view, he could support fully the proposal of the British delegation. He was not, however, blind to the fact that the Japanese proposal referred to some general principles which were worthy of consideration. He would therefore have supported the British proposal had he not thought it necessary to take account in any agreement reached by the Conference of Conventions already in force regarding the transport, transshipment, etc., of goods.

As he had no special knowledge of this subject nor instructions regarding it, he was obliged to reserve his opinion, preferring the wise proposal of the President that the present Conference should not deal with the question of the transport of opium. The same question was at present being considered by the Second Conference and, although the two Conferences were quite independent, in the event of the solution of the same problem by the two Conferences differing from each other, would it not then be necessary to bring them into accord?

Prince CHAROON (Siam) said that the Conference had met with the object of suppressing the illicit traffic in opium. He therefore considered that the British proposal might be accepted. If, however, a certain time was to be allowed to countries to alter the manner in which the traffic in opium and other drugs was conducted, then the Japanese proposal could be accepted, provided that paragraphs 2 and 3 were amended. He could not accept these paragraphs as they stood, and preferred the British proposal.

Sir Malcolm DELEIVINGNE (British Empire), in reply to the reference made by the Portuguese delegate to the provisions of other international conventions, said that in the International Convention on Maritime Ports an article had been included containing an express provision that nothing in the Convention was to apply to the restrictions which any Governments had taken or might decide to take in regard to traffic in opium and other dangerous drugs.

M. RODRIGUES (Portugal) thanked Sir Malcolm Delevingne for informing him of the provision in the Convention, with which he was not familiar. He wished now to draw the attention of the Conference to the second point he had already raised, that was to say, that it was necessary that the work of the two Conferences on this same subject should agree.

On the proposal of the PRESIDENT, *the Conference adjourned* to enable the British and Japanese representatives to hold a conversation with a view to arriving at an agreement.

On the resumption of the sitting, the PRESIDENT informed the Conference that the British and Japanese delegations had reached an agreement in principle, though not as to the exact wording of the article. The Conference would therefore adjourn until the exact text had been drafted.

NINETEENTH MEETING

Held at Geneva on Wednesday, December 3rd, 1924, at 3.30 p.m.

President: M. van WETTUM (Netherlands).

30. Consideration of the Revised Draft Agreement.

The PRESIDENT announced that the British and Japanese delegations had reached an agreement in principle with regard to the question of export. He now announced that they had come to an agreement on the wording of the article dealing with this subject, which was as follows:

"1. The export of opium, whether raw or prepared, from any Possession or Territory into which opium is imported for the purpose of smoking shall be prohibited.

"2. The transit through, or transshipment in, any such Possession or Territory of prepared opium shall be prohibited.

"3. The transit through, or transshipment in, any such Possession or Territory of raw opium consigned to a destination outside the Possession or Territory shall also be prohibited unless an import certificate, issued by the Government of the importing country, which can be accepted as affording sufficient guarantees against the possibility of illegitimate use, is produced to the Government of the Possession or Territory."

He proposed that the text as agreed should be accepted as Article VI of the draft Agreement.

This proposal was accepted.

Preamble.

M. SUGIMURA (Japan) withdrew the Japanese amendment to the first paragraph of the preamble, namely, to delete "internal" before "trade" and add after "prepared opium" the phrase "for other than medical and scientific requirements".

He further proposed to replace the words "being desirous on grounds", etc., in the second paragraph by: "being desirous, on humanitarian grounds and for the improvement of public health, of taking all possible steps with a view to the complete and absolute suppression of the illicit use of opium with the least possible delay". The object at which the Conference was aiming was the complete suppression of the consumption of opium. This was not clearly expressed.

Sir Malcolm DELEIVINGNE (British Empire) suggested that the words "the illicit use of opium" in the Japanese amendment were not appropriate. The smoking of opium was not illicit at present, although it was intended eventually to suppress it completely. He proposed that the words "for achieving that suppression" should be substituted in the preamble for the words "for achieving that object" in order to meet the criticism of the Japanese delegate and to make the wording more precise.

He thought that the expression "for the improvement of public health", in the Japanese amendment, was too narrow, and suggested that some other form of words might be better.

M. SUGIMURA (Japan) was satisfied if the Conference accepted the principle in question.

The PRESIDENT asked Sir Malcolm Delevingne to prepare a text in collaboration with M. Sugimura.

Sir Malcolm DELEVINGNE (British Empire) submitted the following text:

"Being desirous, on the grounds of humanity and for the purpose of promoting the social and moral welfare of their peoples, of taking all possible steps for achieving the suppression of the use of opium for smoking with the least possible delay."

The PRESIDENT proposed the adoption of this text by the Conference.

This proposal was accepted.

M. SUGIMURA (Japan) proposed that the words "except in Formosa" should be added after "the increase of the smuggling of opium in the Far East". Whereas it was stated in the paragraph that smuggling had increased, this was not the case in Formosa. There was no contraband traffic in Formosa.

The PRESIDENT proposed that the phrase should be altered to read: "the smuggling of opium in the greater part of the territories in the Far East".

This proposal was accepted.

M. SZE (China) announced that he proposed to take no part in the discussion of the draft Agreement. He would discuss the Protocol when it came up, but his silence in the meantime should not be taken to mean consent. He would later make a statement to the Conference.

The preamble was then adopted.

Article I.

M. SUGIMURA (Japan) suggested that the words "all necessary guarantees" should be substituted for "equivalent guarantees" in the last paragraph of Article I. The Japanese system was, in the opinion of his Government, better than that laid down in the text.

Sir Malcolm DELEVINGNE (British Empire) thought that this would alter the sense of the paragraph, and suggested the addition of the words "or more effective" after "equivalent."

Mr. CAMPBELL (India) suggested that after the words "except as provided" in the first line of Article I, the words "in paragraph 3 of this article" should be added.

This proposal was accepted.

Article I was adopted by the Conference.

Articles II and III.

M. SUGIMURA (Japan) thought Articles II and III did not go far enough. They allowed minors to smoke opium provided they did not buy it themselves. He would propose an amendment to strengthen this part of the Agreement when the final Protocol was considered.

Sir Malcolm DELEVINGNE (British Empire) suggested that the words "smoking divan" should be substituted for "opium divan" in Article III.

The Conference agreed to this alteration.

Articles II and III were adopted as amended.

Article IV.

Article IV was accepted with the word "smoking" inserted before the word "divan".

Article V.

M. SUGIMURA (Japan) pointed out a slight discrepancy between the English and French texts of this article. He proposed that the English text should be adopted.

This proposal was accepted.

Article VI.

Article VI was adopted.

Article VII.

M. SUGIMURA (Japan) thought Article VII brought forward the principle of the value of suitable propaganda in connection with the campaign against the dangers of opium. Propaganda should adapt itself to varying situations, but the obligation to adopt it should be accepted by all Powers. He proposed that the words "except where a Government considers such measures to be undesirable under the conditions existing in its territory" should be deleted.

Mr. CAMPBELL (India) deprecated the reopening of discussion on this point. The habit had become extinct in British India proper without the use of propaganda. In Burma, where there was a population of thirteen million, only 3,500 Burmans were supplied with opium, and of these not more than 500 were smokers. The total number of smokers in Burma was not more than 21,000. These results had been obtained without the use of propaganda; which, in India, was dangerous and liable to produce the opposite effect to that intended.

M. SUGIMURA (Japan) said he meant not only propaganda but moral teaching among children. If there were no smokers, propaganda was not undesirable, but useless. He could only accept this article as it stood with a moral reservation.

Article VII was adopted.

Article VIII.

Article VIII was adopted.

Article IX.

M. BOURGOIS (France) wished to recall that the French delegation had not yet received instructions from its Government with regard to the punishment of illegal transactions carried out by its subjects in other countries.

This statement was noted by the Conference.

Article IX was then adopted.

Article X.

M. SUGIMURA (Japan) said that Article X was not sufficiently clear, and he proposed the addition of the following sentence :

"This information shall be transmitted to the Secretary-General of the League of Nations, who will forward it to the other Contracting Powers (or to those whom it may concern) and publish it."

Sir Malcolm DELEVINGNE (British Empire) asked what was meant by the phrase "those whom it may concern".

It was agreed to strike out this phrase.

The PRESIDENT proposed that the words "who will forward it to the other Contracting Powers" should be deleted.

The Conference agreed to this proposal.

Sir Malcolm DELEVINGNE (British Empire) asked whether the Conference could impose a duty on the Secretary-General of the League. He moved that the phrase "and publish it" should be deleted and "for publication" substituted.

This proposal was accepted.

The Conference adopted Article X as amended.

Article XI.

Article XI was adopted.

Article XII.

M. SUGIMURA (Japan) pointed out that the French text of Article XII implied a review of the position (with regard to the application of Chapter II of the Hague Convention) at regular intervals, whereas the English text made no statement on this point. The examination which would be undertaken by the Conference in 1929 should be directed towards the situation arising from the present Agreement, as well as to that consequent upon the Hague Convention. He proposed to add after "1912" the words "and of the present Agreement".

This addition was accepted and Article XII was adopted as amended.

Article XIII.

M. SUGIMURA (Japan) said that the second part of Article XIII had never been considered by the Conference. What was, in effect, the situation with regard to Protectorates ?

The PRESIDENT pointed out that this matter had been discussed in the Drafting Committee.

Sir Malcolm DELEIVINGNE (British Empire) said the clause was usual and purely formal in character. In the British Empire, for example, there were Protectorates the Governments of which had complete control over their domestic legislation. It would be necessary to obtain their consent before the British Government could ratify the Agreement on their behalf.

M. SUGIMURA (Japan) remarked that in those parts of India which were ruled by native princes opium was produced largely in excess of the quantities required for consumption within those States. The surplus was sold to middlemen and eventually put up to auction in Bombay.

Mr. CAMPBELL (India) said that M. Sugimura's information was incorrect. There were no opium auctions in Bombay and there was no exportation of opium from Bombay. Opium could not leave the Native States without the consent of the Government, which exercised rigid control over transit through British India.

The PRESIDENT pointed out that the clause under discussion was customary in most of the Conventions drawn up under the League. It occurred in the Convention on Obscene Publications and in that dealing with the Traffic in Women and Children.

M. SZE (China) said that the Drafting Committee had exceeded its authority in inserting a paragraph in the Agreement which had not been discussed in the Conference. He thought that the opium situation in the Indian Native States, where there were as many as 70 million people, was important. Also, why had not the Chinese amendment to the Protocol been included ?

The PRESIDENT thought that he had not exceeded his powers as President of the Drafting Committee, which had been asked to add formal clauses.

He said that he had received the Chinese amendment after the Agreement had been drafted. The amendment would in any case have had to be discussed by the Conference before being inserted in the Agreement.

M. SZE (China) said that the Minutes of the seventeenth meeting of the Conference contained the statement of the Chinese delegation registering its non-acceptance of the matter contained in the Protocol and that, therefore, the Drafting Committee had had that statement before it when the Protocol was drafted.

Sir Malcolm DELEIVINGNE (British Empire) and M. BOURGOIS (France) agreed entirely with the point of view of the President. It was the usual practice to leave the formal clauses in regard to ratification, denunciation, etc., to the Drafting Committee.

Mr. CAMPBELL (India) doubted whether the present discussion was in order. It had arisen from the word "Protectorates". The Indian Native States were not protectorates. He had, however, supplied M. Sze with very full information with regard to the opium situation in those States.

M. SUGIMURA (Japan) asked whether, under the circumstances, the Indian Native States should not have sent separate delegates to the Conference.

Mr. CAMPBELL (India) remarked that the status of the different States varied widely, so that it was impossible to give any complete explanation of the position at short notice. The opium produced in these States could not possibly leave them without Government approval. He thought the suggestion that these States should be represented at the Conference should be made in another quarter.

M. SUGIMURA (Japan) hoped that the Native States would adhere to the Agreement as soon as possible.

M. SZE (China) said that the Drafting Committee, and not the President, had made an error. The Minutes of the seventeenth meeting recorded that China did not adhere to the resolution contained in the Protocol.

The PRESIDENT thought that the matter might be raised when the Protocol was discussed.

Article XIII was then adopted.

Article XIV.

Mr. CAMPBELL (India) asked whether the words "shall be ratified" in the first paragraph of Article XIV bound countries to ratify the Agreement.

M. SUGIMURA (Japan) thought that this was merely the usual form of Agreement.

The PRESIDENT suggested that the words "subject to ratification" should be substituted for "ratified".

This proposal was accepted.

Article XIV was adopted as amended.

Article XV.

Article XV was adopted.

Prince CHAROON (Siam), proposed the addition of the word "sealed" after "the above-named plenipotentiaries have".

Sir Malcolm DELEIVINGNE (British Empire) pointed out that the Hague Convention had not been sealed but only signed.

The Conference, on the proposal of the PRESIDENT, decided not to accept the Vice-President's proposal.

Mr. CAMPBELL (India) pointed out that the month of signing was omitted.

This omission was rectified.

(The meeting was suspended at 5.55 p.m. and resumed at 6.15 p.m.)

Protocol.

On the motion of M. SUGIMURA (Japan), *the Conference agreed to substitute the words "supplementary Agreement" for "additional Agreement" in the phrase "the Conference drew up the supplementary Agreement".*

M. SUGIMURA (Japan) stated that his delegation attached particular importance to the system of licences and rationing, which had greatly reduced the number of smokers in Formosa. He had hoped that the text agreed upon by the Japanese and British delegations would have been incorporated in the Agreement rather than in the Protocol. The sense had also been altered, and he could not accept the present wording. For "useless and in some cases dangerous" he would substitute "difficult".

The PRESIDENT and Sir Malcolm DELEIVINGNE (British Empire) did not recollect having altered anything in the Drafting Committee.

M. SUGIMURA (Japan) proposed that the words "with the exception of the Japanese delegation" should be added between "The Conference" and "further adopted the following resolution".

M. BOURGOIS (France) said that in Indo-China the system of licensing had been tried. Most smokers, however, had preferred not to register, but turned to contraband for their supplies. He thought that the method had also been tried in the Dutch East Indies.

The PRESIDENT said that in the Dutch East Indies the amount of contraband did not "equal or even surpass in extent the legitimate trade".

Sir Malcolm DELEIVINGNE (British Empire) referred M. Sugimura to the Minutes of the seventeenth meeting and pointed out that, when this question was discussed at that meeting, the Japanese delegation had not raised any objection. He would not personally object to the substitution of the word "difficult".

Mr. CAMPBELL (India) recalled that in Burma the same system as that used in Formosa was in force. He had, however, raised no objection to the phrase. He proposed that it should read: "renders the application of this system difficult and, in the opinion of the Governments in question, useless and in some cases dangerous".

This amendment was accepted.

The PRESIDENT asked the opinion of the Conference on the Chinese amendment (C.O.P. 48).

The Conference adopted the first part of the amendment proposed by the Chinese delegation, which read as follows:

"The Conference, with the exception of the Chinese delegation, further adopted the following resolution".

Sir Malcolm DELEIVINGNE (British Empire) proposed the adjournment of the Conference to the earliest possible date which could be fixed by the President in agreement with the President of the Second Opium Conference.

Mr. CAMPBELL (India) observed that the Protocol dealt only with one resolution. The Chinese Government had said that it did not agree to that resolution. The Chinese Government should not therefore sign the Protocol. The Chinese amendment would then have no *raison d'être*.

M. SZE (China) thought that, if the Conference were to express its view of the situation, China should be allowed to express hers.

TWENTIETH MEETING

Held at Geneva on Friday, December 5th, 1924, at 3.30 p.m.

President: M. van WETTUM (Netherlands).

31. Composition of the Indian Delegation: Letter from Mr. Campbell, First Delegate of India.

The PRESIDENT read a letter from Mr. CAMPBELL (India) announcing that after Saturday, December 6th, 1924, Mr. M. H. Clayton would replace him as first Indian delegate to the First Opium Conference.

This was noted by the Conference.

32. Consideration of the Revised Draft Agreement and Protocol.

The text of the Agreement and of the Protocol, as far as the end of the Resolution, was adopted (Annex 13a).

The PRESIDENT referred to the amendment to the Protocol proposed by the Chinese delegation, which read as follows:

“Following the body of the Protocol, and preceding the words “In witness whereof, etc.”, the Chinese delegation desires that the following statement be inserted:

“The Chinese delegation greatly regrets that it is unable to join in the foregoing Protocol. The Conference has not been furnished, in the opinion of the Chinese delegation, with evidence which conclusively demonstrates that, in some of the territories of the Powers in the Far East, the amount of contraband trade equals and even surpasses in extent the legitimate trade, and that the application of the system of licensing (or registration) and rationing is thereby rendered useless and in some cases dangerous. The Chinese delegation therefore regrets its inability to participate in a statement that such is a determined fact.

“The Chinese delegation regrets also its inability to accept the conclusion contained in the last paragraph of the Protocol, namely, that the Conference should formally approve the proposition that those of the Contracting Powers which have not yet applied this system of licensing (or registration) and rationing shall be under no obligation to do so within a definite period of time, but that each shall undertake merely to select the moment when circumstances will allow of the adoption of the system and to take, in the meantime, such preparatory measures as they may deem expedient’.”

The President added that, in his opinion, as China would not sign the Protocol, the resolution did not affect her. It was not possible for the Chinese delegation to make a declaration or reservation regarding something which it did not sign.

M. SZE (China) remarked that China's name was included in the list of countries given at the beginning of the Protocol. The Conference should allow the Chinese delegation to state its point of view, just as the other delegations had stated theirs.

The PRESIDENT remarked that the name of China would be erased.

M. FERREIRA (Portugal) asked whether China could not sign with reservations.

The PRESIDENT said that the Chinese proposal was not a reservation, but expressed disagreement with the resolution.

Sir Malcolm DELEIVINGNE (British Empire) agreed with the President's point of view. The resolution was a resolution adopted by the countries in which the use of opium for smoking was still permitted in pursuance of Chapter II of the Hague Convention. China was not one of these—the Chinese delegation was questioning the statements of the responsible authorities in those countries without the production of any evidence whatever. The proper course for the Chinese delegation to take, if it wished to express its disagreement with the resolution, was to make a statement in the Conference. The Powers supporting the resolution would then be able to answer the statement and the whole matter would appear in the records of the Conference.

M. BOURGOIS (France) asked whether, from the point of view of procedure, it was possible for a delegation to make reservations regarding a document it did not sign.

M. SZE (China) professed respect for the debating skill and knowledge of the subject possessed by Sir Malcolm Delevingne and M. Bourgois and said he had already stated in the Conference several times China's objections to the matter contained in the Protocol.

The PRESIDENT was of the same opinion as Sir Malcolm Delevingne and M. Bourgois.

M. SZE (China) remarked that the Drafting Committee had had the Chinese declaration before it when the Protocol was drawn up. He asked the President to have a roll-call on the Chinese amendment to the Protocol.

The PRESIDENT did not think it was necessary to do this. No objections had been made except by M. Sze.

M. SUGIMURA (Japan) asked Sir Malcolm Delevingne whether, if China had the right not to sign a Protocol containing arrangements which did not concern her, the position was the same with regard to the Agreement, certain parts of which might also contain arrangements of this character.

He agreed with M. Bourgois as to the impossibility of a delegation's making reserves regarding a Convention which it did not sign. This practice had never been followed at any International Conference at which he had been present.

Sir Malcolm DELEIVINGNE (British Empire) remarked that the question of the signature of the Agreement had not been raised. If that document contained articles which affected China and under which she was prepared to assume obligations, she had the right, if she accepted them, to sign it.

M. SUGIMURA (Japan) thought that theoretically the reasons were the same for the Agreement as for the Protocol. If the latter contained arrangements which did not concern China, that country had not the right to take part in them.

M. SZE (China) proposed that China should be allowed to sign a separate Protocol.

M. SUGIMURA (Japan) thought the majority of the Conference would not give the Chinese delegation so privileged a position. It should be sufficient to record the Chinese position with regard to the Protocol in the Minutes.

The President ruled the Chinese amendment out of order.

M. SZE (China) asked whether the President intended to make his ruling retroactive, thus ruling out of order the amendment to the Protocol proposed by China at the previous meeting.

The PRESIDENT did not think such a ruling necessary.

The Conference proceeded to the consideration of the Japanese amendment, which read as follows :

“The Contracting Powers will adopt all possible measures designed to prevent the spread of the habit of opium-smoking, especially among minors.”

M. SUGIMURA (Japan) was of opinion that the Conference should not content itself with attempting to cure addicts ; it should do its best to prevent others becoming addicts. He was confident that no opposition would be raised to the adoption of this proposal.

Mr. CAMPBELL (India) said that the Government of India would be willing to have the above amendment included in the Protocol.

Sir Malcolm DELEIVINGNE (British Empire) thought that the wording of the amendment rendered it unsuitable for insertion in the Protocol. As it stood, it implied a definite engagement which should appear in the Agreement, if anywhere. He would have no objection to a recommendation to the Powers to do everything possible to discourage the use of prepared opium. That was the aim of the Conference and the aim which the Powers set before them when they undertook the obligations in Chapter II of the Convention. If it was intended

merely as a recommendation, the wording should be revised. A similar question had been discussed at some length in the Conference, particularly in connection with the question of propaganda, and Article VII had been adopted. If M. Sugimura meant more than this, the Conference must be quite clear as to what was meant.

M. BOURGOIS (France) agreed with Sir Malcolm Delevingne. The amendment proposed a definite obligation, but the obligation was vague. If it referred to general measures, these were provided for already. Special measures had been discussed during the Conference and found to be inapplicable in most countries.

M. SUGIMURA (Japan) said that during the Conference he had proposed the absolute prohibition of opium-smoking by minors, but the Conference had not accepted this. He was prepared to alter the wording of his amendment, so long as the principle was adopted.

M. Sugimura then read a fresh wording, drawn up in collaboration with Mr. Campbell :

“The Contracting Powers consider that all possible measures designed to prevent the spread of the habit of opium-smoking, especially among minors, should be adopted as soon as possible.”

He proposed that this, if accepted unanimously, should be inserted in the Protocol. If any single delegation objected, he would withdraw it.

Sir Malcolm DELEVINGNE (British Empire) remarked that Great Britain had been in favour of the prohibition of the smoking of opium by minors, but objection had been taken to the proposal because of the difficulty of enforcing such a prohibition. He suggested that the Conference might adopt some such resolution as :

“The Conference recommends that all possible measures should be taken to prevent the use of opium for smoking by minors.”

M. SUGIMURA (Japan) said he would be satisfied if the Conference accepted the reference to minors.

M. BOURGOIS (France) remarked that there were no birth certificates in Indo-China, and among the large floating population there was always a large number whose age was unknown to the authorities.

Sir Malcolm DELEVINGNE (British Empire) proposed that the following words should be added to Article II of the Agreement :

“All possible steps shall be taken by the Contracting Powers to prevent the spread of the habit of opium-smoking among minors.”

This proposal was adopted.

33. Preparation of a Report to the Council of the League.

The PRESIDENT remarked that, according to Resolution V of the Assembly, the Conference should make a report to the Council.

Sir Malcolm DELEVINGNE (British Empire) suggested that this should take the form of a letter from the President, forwarding a copy of the Agreement signed by the delegations and a copy of the printed Minutes.

M. BOURGOIS (France) supported this proposal.

M. SZE (China) announced that he would consider the possibility of making a minority report.

M. SUGIMURA (Japan) suggested that the President's report should be sent in the name of delegates to the Conference and not in the name of the Powers represented.

The PRESIDENT thought there would be no objection to sending the report to the Council in the name of delegates. M. Sze, if he made a report, should forward it directly to the Council.

M. SZE (China) remarked that he had only said that there was a possibility of his making a separate report.

M. SUGIMURA (Japan) emphasised that this would not commit the Japanese or any other Government.

Mr. CAMPBELL (India) regretted that he had to leave Geneva on Saturday night, December 6th. He desired to state that his Government was prepared to sign the Agreement

and Protocol, but would not be able to sign the actual documents unless they could be prepared by that date.

M. SZE (China) said he had promised the Conference at the last meeting that he would make a statement. In view of developments that afternoon, this statement needed modification. He would communicate it to the Conference at or before the time when signature should be called for.

34. Date of Signature of the Agreement and Protocol.

Sir Malcolm DELEIVINGNE (British Empire) asked what would be the date of the final meeting for the purpose of signing the Agreement and Protocol.

The PRESIDENT proposed to call the meeting for Saturday, December 13th. This would give the delegations an opportunity to get replies from their Governments and allow any delegate who wished to do so to make a final statement.

M. SUGIMURA (Japan) thought it was essential that Mr. Campbell should sign the Agreement with the other delegates. He hoped it would be possible for the Secretariat to arrange for delegates to sign on Saturday, December 6th.

Mr. CAMPBELL (India) said he would be prepared to make some arrangement to sign a document which would be completed afterwards by the Secretariat.

The PRESIDENT proposed that Mr. Campbell should sign at 7.30 p.m. on Saturday, December 6th, and that the remainder of the delegates should do so on Saturday, December 13th.

This proposal was accepted.

The PRESIDENT remarked that in Article VI of the Agreement there was a discrepancy between the English and French texts. He proposed that the English text should be adopted and a fresh translation made.

This proposal was accepted.

The Conference adjourned until Saturday, December 13th, at 4 p.m.

TWENTY-FIRST MEETING

Held at Geneva on Saturday, December 13th, 1924, at 6 p.m.

President : M. van WETTUM (Netherlands).

35. Postponement of the Signing of the Agreement.

Sir Malcolm DELEIVINGNE (British Empire) announced that he had received a communication from his Government, which had learned that the American proposal to raise the question of opium in the Second Conference had been brought up before the Council during its session at Rome. The British Government wished to consult Mr. Chamberlain on the subject after his return. The speaker was therefore instructed to propose that the meeting should be postponed for the present.

M. BOURGOIS (France) said he also was not at the moment in a position to sign the Agreement.

The PRESIDENT proposed that the meeting should be adjourned to a date to be fixed later.

M. SZE (China) expressed surprise at and made comments upon the statements of Sir Malcolm Delevingne and M. Bourgois, and asked when the next meeting would be held.

The PRESIDENT said it would take place as soon as possible after these delegates had received further instructions.

TWENTY-SECOND MEETING

Held at Geneva on Saturday, January 24th, 1925, at 4 p.m.

President : M. van WETTUM (Netherlands).

36. Appointment of a Delegation to meet a Delegation of the Second Conference.

The PRESIDENT said that the First Opium Conference, at its twenty-first meeting, had anticipated that it would only meet again in order to sign an Agreement and to give an opportunity to the delegates to make any statements they might desire. The signing of the Agreement, however, had been temporarily postponed and the First Conference had now to consider a resolution which had been adopted that morning by the Second Conference.

The Second Conference suggested that the First Conference should appoint a delegation of eight members to discuss with a corresponding delegation of the Second Conference certain proposals with which the Second Conference had been invited to deal.

The Second Conference had adopted the following resolution :

“In suggesting that the First Opium Conference meet in order to take a corresponding decision, identical in its object, and on condition that that corresponding decision be adopted,

“The Second Opium Conference decides to name eight delegates representative of Governments which have not participated in the First Conference, to form a Committee with eight members designated by the latter.

“That Committee shall be entrusted with examining the proposals of the delegation of the United States of America, together with the various suggestions and declarations presented during the recent discussions of the Second Conference. The Committee shall present a report to the two Conferences on the result of its work with the least possible delay.”

The First Conference, by accepting the suggestion, would be furthering the work of the Second Conference and assisting it to achieve the object for which it had been convened.

He would accordingly present the following resolution :

“The First International Opium Conference :

“Taking note of the resolution adopted this morning by the Second International Opium Conference,

“Accepts the invitation to appoint a delegation to form with a delegation of the Second Conference a joint Committee which shall examine the proposals, declarations and suggestions which have been put forward by the American, British, French and other delegations on the latter Conference, and shall report the results of their work to the two Conferences as soon as possible.”

M. SUGIMURA (Japan) supported the proposal, stating that in doing so he was sacrificing his own point of view and setting aside certain legal considerations in deference to the important principles which were at stake.

Sir MALCOLM DELEIVINGNE (British Empire) also supported the proposal.

The resolution was adopted.

The PRESIDENT said that each delegation would presumably wish to be represented by its first delegate in the event of there being more than one member of the delegation.

M. SZE (China) said that it might on occasion be convenient for a substitute member to attend and asked that account might be taken of this necessity.

The PRESIDENT agreed that the representation of the delegations should be somewhat elastic.

It was decided that the President should forward to the President of the Second Conference the resolution which had just been adopted, together with a covering letter embodying the above suggestion with regard to the representation of the delegations.

TWENTY-THIRD MEETING

Held at Geneva on Wednesday, February 11th, 1925 at 11 a.m.

President : M. van WETTUM (Netherlands).

37. Withdrawal of the Chinese Delegation.

The PRESIDENT communicated to the Conference a letter from the Chinese delegation (Annex 14) announcing that it had withdrawn from the Conference since, in its opinion, its further participation would serve no useful purpose, in view of the failure of the Conference to arrive at any satisfactory agreement with regard to the measures to be taken for the suppression of the use of prepared opium.

Attached to the letter was a memorandum containing the point of view of the Chinese delegation, which would be distributed to the Conference.

The President proposed to acknowledge receipt of these communications but that the Conference should not discuss them.

This procedure was adopted.

38. Consideration of a Draft Protocol to be Signed simultaneously with the First Agreement: Report of the Committee of Sixteen.

The PRESIDENT reminded the Conference that it had decided on January 24th to appoint a delegation which, together with a delegation of the Second Conference, would try to find a solution of the difficulties which had arisen between the two Conferences. These delegations, which together had formed the Committee of Sixteen, had now submitted a report to both Conferences (Annex 16) and, although unanimous agreement had not been reached within the Committee of Sixteen, its efforts had proved very fruitful.

The British representative on that Committee had proposed that two separate Protocols should be prepared, one to be attached to the Convention of the First and the other to the Convention of the Second Conference. The Second Conference had finally adopted the proposed draft Protocol concerning the control of production by the producing countries, but it had done so on the understanding that the First Conference would accept a corresponding Protocol dealing with the consumption of prepared opium. That Protocol was accordingly before the Conference in the form of a draft submitted by the French and British delegations (Annex 16).

M. SUGIMURA (Japan) said that, after much discussion and numerous exchanges of views, the Chinese delegation had decided to withdraw from both Conferences. He himself was convinced that the Chinese delegation would not be disposed to adhere to the Protocol in its present form, and, if China did not participate, what would be the real practical achievement of the Conference? He thought it would be very difficult in such circumstances to accept the French and British proposal. The draft Protocol before the Conference possessed the merit of reflecting the actual conditions at the moment. It was not an idealistic document, but it was precisely because of its practical nature that he felt compelled to draw the attention of the Conference to the possible consequences which might result from the refusal of China to adopt it.

He desired, above all, to emphasise the great importance which Japan attached to its traditional friendship with the great European colonial Powers. The Japanese delegation desired to safeguard the principles of the Hague Convention. According to its interpretation of that document, Article 6 laid the strict obligation on the Contracting Powers to take measures to suppress the use of prepared opium, having regard to certain conditions. The execution of these obligations was not dependent on the taking of any steps by other Contracting Parties.

According to Article II of the draft Protocol before the Conference, the execution of the obligations assumed by the consuming countries depended on the measures previously taken by the producing countries. It seemed, therefore, that an attempt was being made to suspend the execution of the measures contemplated in Article 6 of the Hague Convention and to make what had hitherto been merely tolerated into something which was legally justified. In his opinion, however, the obligations of the Hague Convention must continue to exist untouched according to the various circumstances prevailing in each country. Article I of the draft Protocol guaranteed this, but Article II of the same Protocol seemed to contradict it. It was for this reason he would like certain explanations.

Japan had interpreted the principles of the Hague Convention in the sense to which he had just referred. Action by another country did not constitute in the eyes of the Japanese Government a necessary condition for action or inaction on its part.

Sir Malcolm DELEVINGNE (British Empire) said that the whole question of the Protocol had been exhaustively discussed by Viscount Cecil and M. Daladier, both in the Committee of Sixteen and in the Second Conference and he did not propose to go over the

ground again. He desired, however, to protest against the assumption of M. Sugimura that the draft Protocol before the Conference would have the effect of suspending, in the case of the signatory Powers, the execution of their obligations under Article 6 of the Hague Convention. He could not admit this view for a moment, and he thought that Viscount Cecil had pointed out very clearly, in his speech to the Second Conference, that the opposite was the case.

The British Government had no intention of suspending the execution of these obligations, but intended to carry them out to the fullest extent of its power and to restrict and bring to an end the use of prepared opium by every means which were available for the purpose. The means, however, within its power at the moment were limited, because of the state of affairs existing in producing countries, especially in the Republic of China. The British delegation, therefore, desired to place on record in the First Conference, as it had done in the Second, that the execution of the obligations of the British Government was not suspended and that it intended to carry them out to the fullest extent within its power. Nothing more could be asked of any Government.

M. SUGIMURA (Japan) thanked Sir Malcolm Delevingne for the assurances which he had given. The draft Protocol before the Conference, however, should not be considered for a moment as an inviolable text which could not be amended. He felt certain, moreover, that that was not the intention of its proposers.

As he understood it, the draft Protocol added new obligations to those already imposed by the Hague Convention. That was its fundamental idea. He thought, however, that Article II of the Protocol, as at present drafted, was not quite clear. It said :

“As soon as the poppy-growing countries have ensured the effective execution of the necessary measures to prevent the exportation of raw opium from their territories from constituting a serious obstacle to the reduction of consumption in the countries where the use of prepared opium is temporarily authorised, the States signatories of the present Protocol will progressively reduce the consumption of prepared opium in the territories under their authority”, etc.

It should not be forgotten that States signing the Protocol nevertheless always remained bound by their former obligations.

He agreed with any desire to strengthen existing obligations. As far as Japan was concerned, it would carry out its obligations, whatever action the producing countries might take. Japan had no desire to wait to reduce the consumption of prepared opium until producing countries had taken the measures described in the draft Protocol.

In consequence, he hoped that it might be possible to amend somewhat the text of Article II of the draft Protocol.

M. DALADIER (France) was glad to note the friendly feelings with which Japan regarded her neighbouring colonial Powers. Japan was a great and noble Empire, not only in view of its civilisation, but because it had taken a foremost part in the efforts made to improve the general level of civilisation throughout the world.

He desired, however, to appeal to the practical side of M. Sugimura's nature, and to show that the criticisms made by the Japanese delegate, though sincere, were not perhaps well founded. It was impossible to undertake a serious obligation to reduce immediately the consumption of prepared opium in the Far Eastern territories of France while on the other side of several thousand kilometres of frontier an unlimited production of raw opium was in progress.

The memorandum by the Chinese delegation showed that very notable efforts had been made in the country to combat the use of prepared opium, especially by the Chinese Anti-Opium Association, which was carrying on an indefatigable propaganda. In reading, however, the letters from that Association, letters which had been submitted to the Conference by the Chinese delegation itself, he could not but note that that Association maintained that ten years' propaganda would be necessary to reach the desired end. What would therefore be the moral value of an engagement undertaken by any neighbour of a country the best elements of which said that ten years' propaganda would be necessary before opium were suppressed, to suppress it in the manner suggested by those who opposed the present Protocol ? As representative of France, he was unable to sign an engagement which he knew for certain his Government would be prevented from fulfilling owing to existing circumstances.

Nevertheless, was it certain that no progress was being made ? A perusal of the texts before the Conference, both of the Agreement and the Protocol, would show that, despite the criticisms which had been levelled at the Conference and which he thought were extremely unjust, the work which it had done was of a very useful and serious character.

Article 6 of the Hague Convention said that :

“The Contracting Powers shall take measures for the gradual and effective suppression of the manufacture of, internal trade in, and use of, prepared opium, with due regard to the varying circumstances of each country concerned, unless regulations on the subject are already in existence.”

It was impossible to maintain that the Hague Convention was the last word on the subject and that the work of the First Conference was either setting it at naught or at least altering it. The terms of Article 6 of the Hague Convention were very vague. It was an obligation limited by a formula which left it to each State to decide whether the conditions prevalent on its borders did, or did not, authorise it to carry out the provisions of the article. The article was, in fact, nothing more than a moral and superficial undertaking to pursue a certain course of action were it found possible to do so.

The First Conference went further. In the first place, it had drafted a new international Convention on the question of opium and had placed the Council of the League of Nations in the position of being under the necessity to supervise measures taken to fulfil its obligations.

The Council of the League could take a real and effective decision at the end of a maximum period of only five years, that was to say, at a date far more definite than any estimate given by the Chinese delegation or by the Chinese Anti-Opium Association. This, he thought, represented a very great step in advance.

Not only would there now be a central authority to collect information and conduct enquiries, but provision had also been made for a time-limit of fifteen years, within which period the use of prepared opium should be suppressed. This represented, in his view, a considerable progress on the terms of the Hague Convention.

Critics had objected that, although the total suppression of prepared opium must take place within fifteen years, the Conference had not fixed the date on which those fifteen years should begin to run, and that therefore countries where prepared opium was consumed could continuously put off that date and still not break the terms of the Convention. This argument had been widely spread, especially in the Press, but it did not amount to much.

In the opinion of the French delegation, it was the duty of the producing States which were neighbours of the French colonial possessions to take such measures as to make it possible for that period of fifteen years to begin immediately. It was for the producing States, and not for the consuming States, to increase the activity of their officials, their governors and their local authorities and to prevent them from—for example, as in China—compelling a peasant to cultivate the poppy under pain of imprisonment or fine. When effective measures had been taken to stop production—and producing countries should take them immediately—they had only to inform the Council of the League that they had restricted and controlled production; the period of fifteen years could then begin.

This seemed to him to be the reasonable explanation of these provisions in the Convention. The Conference was of necessity dominated by existing circumstances, and had very rightly insisted on refusing to pay exclusive attention to the ideal to be aimed at, but had contented itself with something more sure, more solid, and with planting the germ of what could one day grow into a considerable and permanent achievement.

M. SUGIMURA (Japan) thanked the delegate of France for the tribute which he had paid to Japan. He appreciated the frankness with which M. Daladier had stated his views.

He was glad to note that he had misunderstood Sir Malcolm Delevingne, who was ready to amend the text of the draft Protocol. His whole preoccupation was to safeguard the principles of the Hague Convention. He thought that, after a short exchange of views, the necessary modification in Article II of the draft Protocol could be made. Provision was made, however, in that article for the co-operation of the poppy-growing countries. If any of those countries refused to collaborate, the result, from a practical point of view, would be nil. In these circumstances, and in view of the fact that the whole Convention depended upon the generosity and good-will with which it was put into force, he proposed that the producing States which had at the moment left the Conference should be asked to give their co-operation.

The remainder of the discussion was postponed to the next meeting.

TWENTY-FOURTH MEETING

Held at Geneva on Wednesday, February 11th, 1925, at 3 p.m.

President: M. van WETTUM (Netherlands).

39. Adoption of the Revised Text of the Protocol to be Signed simultaneously with the First Agreement.

The PRESIDENT submitted the final text of the draft Protocol proposed by the French and British delegations.

The Protocol was adopted as follows:

PREAMBLE.

The undersigned representatives of the States signatory to the Agreement relating to the Use of Prepared Opium signed this day, duly authorised to that effect;

Anxious to ensure the complete and final execution of the obligations and to strengthen the undertakings assumed by them under Article 6 of the Hague Convention of 1912;

Taking note of the fact that the Second Opium Conference has decided to adopt a Protocol by which certain Powers are to establish, within five years at latest, an effective control over the production, distribution and export of raw opium, so as to prevent illicit traffic;

Hereby agree as follows:

Article I.

The States signatories of the present Protocol recognise that the provisions of the Agreement signed this day are supplementary to, and designed to facilitate the execution of, the obligation assumed by the signatory States under Article 6 of the Hague Convention of 1912, which obligation remains in full force and effect.

Article II.

As soon as the poppy-growing countries have ensured the effective execution of the necessary measures to prevent the exportation of raw opium from their territories from constituting a serious obstacle to the reduction of consumption in the countries where the use of prepared opium is temporarily authorised, the States signatories of the present Protocol will strengthen the measures already taken in accordance with Article 6 of the Hague Convention of 1912, and will take any further measures which may be necessary, in order to reduce consumption of prepared opium in the territories under their authority, so that such use may be completely suppressed within a period of not more than fifteen years from the date of the decision referred to in the following article.

Article III.

A Commission to be appointed at the proper time by the Council of the League of Nations shall decide when the effective execution of the measures mentioned in the preceding article to be taken by the poppy-growing countries has reached the stage referred to in that article. The decision of the Commission shall be final.

Article IV.

In the event of any of the States signatories of the present Protocol finding, at any time during the period of fifteen years referred to in Article II, that the measures referred to in the said article to be taken by the poppy-growing countries are no longer being effectively executed, such State shall have the right to bring the matter to the notice of the Council of the League of Nations. If the Council, whether by the report of a Commission appointed by it to investigate and report upon the facts or by any other information at its disposal, is satisfied that the facts are as stated, the States concerned will be entitled to denounce the present Protocol. In that case a Conference of the States concerned shall at once be held to consider the action to be taken.

Article V.

During the year preceding the end of the period of fifteen years referred to in Article II, a special Conference of the States signatories of the present Protocol shall be held to consider the measures to be taken in regard to habitual addicts whose pathological condition is certified by the medical authorities of the country concerned.

Article VI.

The States signatories of the present Protocol will co-ordinate their efforts to effect the complete and final suppression of the use of prepared opium. In order to attain this object as soon as possible, the said States, recognising the difficulties at present experienced by certain Powers in establishing an effective control over the production, distribution and exportation of raw opium, make a pressing appeal to the poppy-growing countries for the establishment between all the States concerned of a sincere and energetic collaboration which will lead to the termination of the illicit traffic.

Article VII.

The present Protocol shall come into force for each of the signatory States at the same time as the Agreement relating to the Use of Prepared Opium signed this day.

Article VIII.

Any State represented at the Conference at which the present Protocol was drawn up may accede to it at any time after its coming into force.

DONE at Geneva, the.....

M. SUGIMURA (Japan) said that, in order to be victorious in the struggle against prepared opium, international co-operation was an indispensable adjunct to national action. An international convention often presented a minimum agreement out of a maximum of possibilities. But if a new convention represented progress on a former one, it must be accepted, even by those who had decided to go further than its provisions. To abstain from accepting it would retard rather than hasten the achievement of the end to which all aspired. Accordingly, he was ready, on behalf of Japan, to adhere to the present Protocol, although his Government was firmly resolved to pursue a more radical and, it hoped, a swifter policy in regard to the extermination of prepared opium.

The PRESIDENT said that it was with great satisfaction that the Conference had heard the statement of M. Sugimura, which would be recorded in the Minutes.

40. Examination and Adoption of the Final Act of the Conference.

Sir Malcolm DELEIVINGNE (British Empire) said that, as he had explained in connection with the draft Agreement, there were certain countries under British protection over which the British Government possessed no legislative powers, and that, in consequence, it would be unable to adhere to the Protocol on behalf of those countries until their consent had been obtained. A declaration to this effect would accordingly have to be made by him when signing the Protocol.

After certain formal amendments, *the Conference adopted the Final Act in the following form :*

FINAL ACT OF THE CONFERENCE ON THE APPLICATION IN THE FAR EAST OF CHAPTER II OF THE INTERNATIONAL OPIUM CONVENTION OF JANUARY 23rd, 1912, CONVENEED AT GENEVÁ ON NOVEMBER 3rd, 1924.

The Conference convened by the Council of the League of Nations in accordance with the resolution adopted by the Assembly of the League on September 27th, 1923, met in the offices of the Secretariat of the League on November 3rd, 1924.

The Governments below enumerated took part in the Conference, for which they had appointed the following Plenipotentiaries :

British Empire, with India :

Sir Malcolm DELEIVINGNE, K.C.B., Assistant Under-Secretary of State for the Home Department ;

India :

Mr. John CAMPBELL, C.S.I., O.B.E., I.C.S. (retired) ;
Mr. Harold CLAYTON, C.I.E., I.C.S.

China :

France :

M. Ed. DALADIER, Minister for the Colonies.

Japan :

M. Sagatoro KAKU, former Civil Governor of the General Government of Taiwan.
M. Yotaro SUGIMURA, Counsellor of Embassy, Assistant Head of the Imperial Japanese Bureau accredited to the League of Nations.

The Netherlands :

M. W. G. van WETTUM, former Head of the Opium Régie Department in Netherlands India.
M. de Kat ANGELINO, Secretary for Chinese Affairs to the Government of the Netherlands Indies.

Portugal :

M. A. Bartholomeu FERREIRA, Envoy Extraordinary and Minister Plenipotentiary of the Portuguese Republic to the Swiss Federal Council.
M. Rodrigo RODRIGUES, Governor of the Province of Macao.

Siam :

His Serene Highness Prince DAMRAS, Siamese Chargé d'Affaires at the Hague.

At a series of meetings, the Conference drew up the supplementary Agreement and the Protocol which bear this day's date.

The Conference, with the exception of the Chinese delegation, further adopted the following resolution :

“It has been pointed out to the Conference that in some countries the system of licences (or registration) and rationing has been successful in diminishing the number of smokers.

“At the same time, the Conference has found that, in other countries, the contraband trade, which equals and even surpasses in extent the legitimate trade, renders the application of this system difficult and, in the opinion of the Governments in question, useless and in some cases dangerous.

“Accordingly, the Conference declares that the possibility of adopting these measures or of maintaining them in those territories where they are now working successfully, depends principally upon the extent of the contraband trade.

“It therefore leaves to the Contracting Powers which have not yet applied this system the duty of selecting the moment when circumstances will allow of its adoption and of taking in the meantime all such preparatory measures as they may deem expedient.”

In witness whereof the above-named Plenipotentiaries have signed the present Act.

Done at Geneva in a single copy, which shall remain deposited in the Secretariat of the League of Nations and of which authenticated copies shall be transmitted to all the Powers represented at the Conference.

The Conference decided that any reserves or declarations made by the signatories should be inserted in the Final Act.

41. Reserves made by the Delegate of Portugal.

M. FERREIRA (Portugal) reminded the Conference that, as he had stated at previous meetings, Portugal would have to make reserves concerning Articles I and VI of the Agreement. The Portuguese delegation, however, was ready to agree not to insert these reserves in the Final Act if the Minutes recording them were regarded by the Governments members of the Conference as having the same legal force and effect.

Mr. MCKINNON WOOD (Legal Section of the Secretariat) said the Conference itself would have to decide this question. If it were prepared to adopt a resolution to the effect that the declarations made by the Portuguese delegation during the discussions of the Conference were to be understood as conditioning its signature in the manner desired by the Portuguese delegation, the situation would be quite clear. If no resolution to that effect were passed, however, the situation would be ambiguous and it would therefore be desirable for the declaration of the Portuguese delegation to be inserted in the Final Act.

After a short exchange of views, the Conference decided that any reserves which the Portuguese delegation might desire to make would be incorporated in the Final Act.

1. First Reserve.

M. FERREIRA (Portugal) submitted the first reserve, the text of which, after some discussion, was finally amended to read as follows :

“The Portuguese Government, while accepting the principle of a monopoly as formulated in Article I, does so, as regards the moment at which the measures provided for in the first paragraph thereof shall come into force, subject to the same limitation contained in paragraph 2 of the article.”

M. RODRIGUES (Portugal) gave a short statement of the reasons for this reservation which he had already explained at the seventeenth meeting of the Conference.

An opium monopoly existed in Macao, but was exercised by a concessionnaire under Government supervision.

The Portuguese delegation was convinced, and facts had already proved, that this method, which was the best suited to the geographical conditions of the colony, was the only really effective one. Nevertheless, in a spirit of conciliation, the Portuguese delegation had, at the time of the discussion, accepted the principle of Government monopoly, and the Macao Government, in conformity with both the letter and spirit of the Hague Convention of 1912, would change the existing system in order to comply with the requirements of Article I, paragraph 2 ; in other words, it would institute, for the time being, and as far as circumstances allowed, a State monopoly analogous to the French Government monopoly (*régie*) in Indo-China. Only by so doing could it keep control of the situation and prevent contraband in territories such as the colony of Macao.

An absolute Government monopoly would mean an army of Customs officials unduly taxing the resources of the administration, which would derive no benefit from the monopoly and would be the chief sufferer from contraband coming from neighbouring territories. In conclusion, the speaker reaffirmed that the Portuguese Government's reservation was fully in conformity with both the spirit and letter of the Hague Convention.

The Conference took note of the first reservation.

2. Second Reserve.

M. FERREIRA (Portugal) submitted the second reserve in the following terms :

“The Portuguese Government, being bound by a contract consistent with the provisions of the Hague Convention of 1912, will not be able to put into operation the provisions of Article VI of the present Agreement so long as its obligations are in force.”

Sir Malcolm DELEIVINGNE (British Empire) asked :

(1) At what date the present contract binding the Portuguese Government would expire, and (2) What was meant by the words "so long as its obligations are in force" ? Did the Portuguese delegation mean so long as its obligations *under that contract* were in force ?

M. Rodrigo RODRIGUES (Portugal), in reply to the first question put by Sir Malcolm Delevingne, said that the contract would expire in 1928, but that he could not say in which month. In reply to the second question, he accepted the interpretation given by Sir Malcolm Delevingne to the words "so long as its obligations are in force".

After a short exchange of views, *the Conference took note of the second reserve*, which was drafted in the following terms :

"The Portuguese Government, being bound by a contract consistent with the provisions of the Hague Convention of 1912, will not be able to put into operation the provisions of paragraph 1 of Article VI of the present Agreement so long as its obligations under this contract are in force."

42. Reservation made by the Siamese Delegation.

The Conference took note of the following reservation made by the Siamese delegation :

"The Siamese delegation is instructed to sign the Agreement under reservation of Article I, paragraph 3 (a), with regard to the time when this provision shall come into force, and of Article V. The reason for these reservations has been stated by the first delegate of Siam on November 14th, 1924. The Siamese Government is hoping to put into force the system of registration and rationing within the period of three years. After that date, the reservation in regard to Article I, paragraph 3 (a), will fall to the ground."

43. Signature of the Agreement.

Mr. MCKINNON WOOD (Legal Section of the Secretariat) enquired whether the Conference desired the Agreement and Protocols to be drawn up in such a manner that only those States whose delegates had remained until the end of the Conference were to be set out as parties to the Agreement or whether provision should be made for its signature by other States, notably by China.

M. SUGIMURA (Japan) hoped that the name of China would remain among the list of signatories, since it was of great importance that China should sign the Agreement.

M. DALADIER (France) agreed. Everyone desired that China should co-operate with the other States in the humanitarian work which had been undertaken, and it would therefore be of great advantage to leave it open for China to append her signature to the Agreement at any time if she thought fit.

Sir Malcolm DELEIVINGNE (British Empire) also agreed.

The Conference agreed to leave China among the list of signatories.

44. Close of the Conference.

The PRESIDENT said that the work of the Conference was now finished and that its task had been successfully achieved. He thanked the members of the Conference for their indulgence and for the manner in which they had assisted him during the discussions.

Sir Malcolm DELEIVINGNE (British Empire) proposed a vote of thanks to the President for the manner in which he had presided over the proceedings of the Conference. These had been long and difficult and, although the conclusions reached were not so satisfactory as had at one time been hoped, they marked a very substantial progress. That this result had been achieved was largely due to the manner in which M. van Wettum had presided over the Conference, the good humour which he had invariably displayed and the opportunity which he had given to every delegation to express its views in the fullest manner. He was sure the Conference would join with him in thanking the President very heartily.

M. DALADIER (France) seconded the vote of thanks proposed by Sir Malcolm Delevingne. He further thanked the Secretariat for its assistance.

The vote of thanks was unanimously adopted.

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Annex 1

C.O.P. 3.

AGENDA OF THE FIRST OPIUM CONFERENCE.

1. Election of President and Vice-President; Officers of the Conference; Commissions; Adoption of the Rules of Procedure; etc., etc.

2. (a) Examination and consideration of the present situation in regard to the application by the Powers represented of Part II of the International Opium Convention of 1912 in their Far Eastern territories and of the difficulties which have been encountered in giving effect to Chapter II;

(b) Consideration of the measures which can be taken to carry out more effectively the policy embodied in Chapter II of the International Convention of 1912 of gradually suppressing the use of opium for smoking, with special reference to the suggestions put forward for consideration in the second resolution adopted by the Opium Advisory Committee of the League of Nations at its meeting in May 1923; and

(c) Preparation of a Convention to embody the measures which may be agreed upon by the Conference.

3. Consideration : (a) of the present situation in China with regard to the production of opium and its effects on the control of the use of opium in the neighbouring territories; and (b) of the measures which might be suggested to the Government of the Chinese Republic for bringing about a suppression of the illegal production and use of opium in China.

Annex 2

C.O.P. 7 (revised).

RULES OF PROCEDURE

Adopted by the Conference on November 3rd, 1924.

Article 1.

The First Opium Conference consists of the delegates appointed and duly supplied with plenipotentiary powers by the Governments invited to be represented.

The delegates of each Government may be accompanied by technical delegates whose nominations as such shall be notified to the President of the Conference.

Article 2.

The Secretary-General of the League of Nations shall be responsible for the Secretariat of the Conference.

Article 3.

The plenipotentiary powers of the delegates shall be handed to the Secretary of the Conference as soon as the Conference opens. A Committee of three members shall be appointed to examine and report to the Conference on these credentials without delay.

Article 4.

All meetings of the Conference shall be public.

Article 5.

The Conference may, at any time, decide to sit in plenary Conference or to set up special Committees.

The procedure at meetings of any Committees or Sub-Committees appointed by the Conference shall be regulated by the Committee or Sub-Committee. The Committees and Sub-Committees shall sit in private.

Each delegation shall have the right, however, to make public a statement of its own position with reference to matters discussed at meetings of Committees or Sub-Committees.

Article 6.

The President shall pronounce the opening and the cloture of the meetings. Before proceeding to the agenda, he shall bring before the Conference any communications which concern it. He shall direct the debates; accord or withdraw the right to address the Conference; pronounce the cloture of discussions; put questions to the vote and announce the result of the votes.

Article 7.

No delegate may address the Conference without having previously obtained the authorisation of the President. The President may withdraw the permission to speak if the delegate's remarks be not relevant to the subject of the debate.

In the course of the discussion of any question, any delegate may raise a point of order, which shall immediately be decided by the President.

The technical delegates and experts accompanying the delegates may be allowed to speak, under the same conditions as the delegates.

Article 8.

If a delegate desires to appoint a substitute to act in his place, notice must previously be given to the President of the Conference.

The substitute thus nominated may take part in the deliberations of the Conference and may vote under the same conditions as his principal.

Article 9.

Speeches in French shall be interpreted in English and *vice versa* by an interpreter belonging to the Secretariat.

A delegate speaking in another language must himself provide for a translation of his speech into French or English.

A delegate may cause to be distributed documents written in a language other than French or English, but the Secretariat is not obliged to have them translated or printed.

Article 10

Draft resolutions, amendments and motions must be communicated in writing to the President of the Conference, who shall cause copies to be distributed to the delegates.

As a general rule, no draft shall be discussed or voted upon unless copies shall have been duly communicated to the delegates beforehand.

The President may, however, during the debates, authorise the discussion or examination of amendments without having previously communicated them to the delegates, provided their text has been communicated to him in writing.

Article 11.

A delegate may, at any time, request that the debate be closed. The President shall take the opinion of the Conference upon the motion of cloture. If the majority of the Conference approve the motion, the President shall declare the cloture of the debate.

Article 12.

Each Government represented shall have one vote.

Voting on formal resolutions to be taken by the Conference shall be taken by a record vote, the names of the delegates being called in the French alphabetical order of the names of the Governments represented, unless the Conference decides otherwise.

All the decisions relating to individuals shall be taken by a secret ballot.

Article 13

At the conclusion of each meeting, Minutes shall be prepared by the Secretariat and distributed to the delegates as soon after as possible.

The Minutes of the meeting shall become final forty-eight hours after communication to the Conference.

Annex 3

C.O.P. 19 (O.C. 126).

THE OPIUM POLICY IN THE NETHERLANDS INDIES.

Memorandum submitted by the Delegate of the Netherlands.

I. — In order to give due consideration to the opium problem with regard to the Netherlands Indies, it should be borne in mind that no opium is produced there. It is true

that in former years the question was weighed whether it would be desirable to plant the poppy, but hitherto no trial has even been made.

Transgression of the prohibition to grow the poppy, issued in 1872, has never been ascertained. All the opium required, as well for medical as for other purposes, has to be imported from elsewhere.

Coca, on the other hand, is cultivated in the Netherlands Indies. Thus far, it has not been used for the manufacture of cocaine in the country itself, the whole crop being exported in the shape of leaves. The manufacture of cocaine is not excluded, but is subject to a special licence, a strict supervision being, moreover, guaranteed.

II. — The use of opium, though imported from elsewhere, is fairly well known in the Netherlands Indies, and the natives were already familiar with it when the Dutch settled in these regions. The most frequent form of indulgence in this drug is the smoking of opium specially prepared for this purpose (*chandu*) and often mixed by the native population with leaves of some plants, cut fine. In very exceptional cases opium-eating is indulged in.

The use of other habit-forming drugs than *chandu* for non-medical purposes has not penetrated into the Netherlands Indies, with the exception of morphine, which is used to some extent. This use, however, has not assumed any alarming proportions, and is chiefly found with one nation, the Chinese, and that mostly in districts where it is difficult or impossible to obtain opium.

III. — The native princes have always tried to derive revenues from the consumption of opium and, with the same object in view, the East India Company endeavoured to secure the monopoly of the trade in this product, wherever possible. This monopoly continued to exist when the Netherlands Indian Government had taken the place of the East India Company, but, as we shall see below, gradually assumed another character, according as the ill-effects of the use of opium became more manifest.

During several decades, this drug was farmed out by relinquishing the right of the sale of opium for specified regions to the highest bidder. As a rule, the farmers were Chinese. Under this system already, efforts were put forth to check the consumption of opium by means of restricting the quantity which the farmers were allowed to sell, but it is not astonishing that these measures should have failed to produce the desired effect. The farmers were intent upon making a substantial profit and therefore, as a rule, tried to increase the turnover, if need be, by using smuggled opium.

The farming system giving, moreover, rise to no end of abuses, a movement was started against it in the 'eighties. As the ultimate outcome of this movement, constantly growing in strength, a trial was made in 1894 with the system of direct management of the opium sale by the Government, under the name of *Opium-Régie*. As the trial proved to be successful, the *Régie* was gradually introduced all over the Netherlands Indies, and, accordingly, in 1913 the farming system had been generally abandoned.

IV. — Under the *Opium-Régie*, opium is for sale at the Government selling-shops only. The sale is prohibited to all others, except to special persons and for medical use, as hereinafter specified.

The *Opium-Régie* is based on the principle that the sale should be entrusted to persons (officials) salaried by the Government, who are not interested in the turnover, while at the same time a great juridical warrant is offered by the mode of packing. This packing (metal tubes in various sizes) can hardly be imitated and, when opened, is unfit for further use. Moreover, the opium bears a secret mark, so that, in case of seizure, Government opium and smuggled opium can always be easily distinguished.

At the opium-selling shops, opium is only for sale and cannot be smoked. If necessary, licences are granted to establish public smoking-places (*divans*), which must come up to certain requirements and are subject to a strict supervision. Women and persons under eighteen have no access to the *divans*; the keepers are not allowed to provide their customers with opium, and it is prohibited to offer the public an opportunity for the consumption of opium outside these licensed *divans*.

The quantities required by the *Régie* are exclusively drawn from British India. Of late, supplies have been obtained by virtue of a contract with the British Indian Government, so that opium is no longer bought at the auctions, as was formerly the case. The drug is prepared and packed at a central Government factory established at Batavia.

Though at first the *Opium-Régie* had not set itself the task of vigorously combating the use of opium, it forthwith put a stop to various evil practices and to any encouragement of the opium habit.

V. — As was said above, efforts had already been put forth under the farming system to restrict the use of opium by adopting various measures. Most of these efforts failed, but one measure appeared to be an effective one in actual practice and has proved to be one of the most powerful means of fighting the evil, viz., the institution of the so-called forbidden areas.

Originally this measure was meant to protect the population in those regions where the use of opium was as yet unknown from this vicious habit, which might stealthily creep in from elsewhere. In such parts importation and possession of opium were wholly prohibited. This occurred for the first time in 1824 with respect to a fairly large part of Java.

When, later on, the Opium-Régie began to deal more effectively with this evil, a similar prohibition was issued for districts where the opium habit, though known to some extent, was restricted to a small number of persons or to special groups of the population. In the latter case, an exception was made for those groups where the habit had grown to such an extent that it could not be forbidden (*e.g.*, for the Chinese living in these quarters).

If, in a district where the prohibition was issued, the use of opium were restricted to a small number of persons, an exception was made for such as were addicted to smoking and could not break off the habit without detriment to their health. They were offered an opportunity of obtaining a non-transferable licence to buy and possess opium in quantities sufficient for private use. It was supposed that these licensees would gradually die out, so that the district would then be altogether free from opium.

With this system, the so-called *licence system*, good results were achieved in various parts of the Archipelago and it was therefore gradually extended.

In some districts, however, it was necessary to deviate from the principle that, after the enforcement of the system, no licences should be issued. Vast regions, for example, are largely dependent for their economic development on the supply of labour from elsewhere, frequently non-native workers, and, should the use of opium be wholly prohibited, it would be impossible or, at least, extremely difficult to hire labourers, so that the public welfare would suffer materially from such a measure.

Until recent years, the Régie adhered to the principle that a licence system is applicable only in those districts where the number of smokers is comparatively small and where the licensees can be easily controlled by Government authorities and police. The system was considered unfit for vast centres of the population with large numbers of opium-smokers.

VI. — In the beginning, endeavours were made in those centres to fight the opium evil in a different way.

For years already, the names of the buyers and the quantities purchased by them have, as far as possible, been recorded. It frequently happened, however, that false names were stated, and for this reason a stipulation was laid down for those parts where adequate supervision was deemed essential and where the adoption of a licence system was not yet possible. In pursuance of this stipulation, only such persons were allowed to buy opium as could produce a certificate of identity with portrait. The main difference between the system of certificates of identity (identification system) and the licence system is the following: the identification system has for its chief object the curtailment of purchases, but does not preclude the possession of opium by others than the holders of a certificate of identity. The intention was to extend this system by degrees to all parts where the licence system was considered impracticable. Thus, it would at least be possible to know and duly control the buyers and to prevent the export of opium from these districts to parts of the Netherlands Indies where, owing to the restrictions in force, opium was difficult to obtain. It was expected that such identification would immediately involve reduced sales and that, guided by this system, it would eventually be possible to adopt more drastic measures and gradually to suppress the use of opium. The identification system, however, did not extend beyond certain districts, preference being given to the plan of applying the licence system referred to in Section V, likewise in those parts where a large number of opium-smokers were living.

VII. — This plan was carried into effect when, a few years ago, the opium habit increased to an alarming extent in consequence of the marked revival of trade, industry and cultures, attended by high wages and substantial revenues for the lower classes of the population.

Especially in the large towns and in all parts where no restrictions were in force, heavy quantities were bought at the Government selling-shops, not only for the buyers' own use but frequently destined for clandestine export to other parts of the Netherlands Indies. At first the Régie tried to combat this evil by considerably reducing the quantity

formerly allowed to one person. When this measure proved to be ineffective, a licence system was gradually introduced in the large centres of the population. The object of this measure is not to restrict the use of opium at once to existing smokers. Persons newly arriving and temporary inhabitants can likewise obtain a licence. It is, however, anticipated that, through this system of non-transferable licences, the customers will buy no more than what is needed for their own requirements. The Government hopes that a strict supervision, rendered possible by an occasional extension of the police force, may present the licit trade in opium from being supplanted by contraband traffic.

It is only in small parts of the Netherlands Indies that the licence system is not being applied and that opium-smoking is allowed without a non-transferable licence, though also here smokers have to conform to general rules and to stipulations laid down for the possession of low maximum quantities.

It cannot yet be stated with any certainty whether adoption of the licence system has produced the desired effect in regions where the number of smokers was considerable. The quantities of opium bought at the Government selling-shops have indeed shown a substantial decrease since then, but this is for the most part attributable to the all-round collapse that manifested itself about the same time, while, moreover, the fear of an increased illicit traffic may not be without foundation.

VIII. — Another means of putting a check on the use of opium, applied with gratifying results, is an enhanced selling price.

Formerly there was a wide difference between the prices of opium ruling in various parts of the Netherlands Indies. This was partly due to the farming system which prevailed in certain districts, and partly to the fact that the opium trade was not everywhere a Government monopoly. In some parts of the Archipelago, this trade was either entirely free or only governed by stipulations laid down by the native princes.

On the gradual establishment of the Régie, prices had to correspond with the existing ones, for fear of creating a large-scale contraband traffic. Though all the opium supplied by the Régie is of the same quality, it was sold in 1907 and 1908 at prices of 23 fl. and 25 fl. per tahl. By degrees the low prices were enhanced and, at the end of 1922, the price ruling in an extensive part of the Netherlands Indies was 30 fl., in another part 25 fl. and further 20 fl. and 18 fl. per tahl. The prices of 20 fl. and 18 fl. must prevail in the vicinity of the Malay Peninsula lest the cheaper opium from there should be imported. It is self-evident that, both with regard to an increase of prices and other restrictive measures, the Régie cannot go beyond certain limits, in view of the danger of an expanding illicit traffic, to which a vast area like that covered by the islands of the Netherlands Indies is eminently adapted. It is true that, with the aid of the police and Custom House officers, forcible action is taken against this traffic, while, moreover, high premiums are offered; but, if the price of opium is fixed too high and if other obstacles are put in the way of the buyer, the profits attached to smuggling are so large that even the most scrupulous supervision would not be able to put a check upon this traffic.

It should also be borne in mind that enhanced prices might give rise to an economic exhaustion of that part of the population which cannot possibly dispense with opium.

IX. — Furthermore, the following steps were taken in the course of years to restrict the consumption of opium as far as possible.

At public festivities no opium may be distributed or offered as a prize.

No opium is sold to persons under eighteen.

Without a medical prescription, Europeans are not allowed to possess opium. On the issue of this prohibition in 1911, an exception was made for such as were then accustomed to take opium. A non-transferable licence was issued to them. At the close of 1921, nine Europeans were still in possession of such a licence.

The use of opium is wholly forbidden to the native crews of the navy and to native soldiers.

The number of opium-selling shops is constantly being diminished (it was 1,480 at the end of 1914, and 1,274 at the end of the year 1921), while also the number of hours when the selling-shops are open to the public is more and more being reduced. These measures are great handicaps for the acquisition of opium.

For the same purpose, the number of divans is restricted. In 1914, this number was still 160; at the end of 1921, no more than 72 were left, the bulk of which were located in the large sea-port towns.

The Government promotes the publication of pamphlets written in the native languages, in which the detrimental influence of the use of opium is clearly pointed out, and has, moreover, articles of like tendency inserted in school-books.

The Government has announced that, if one should succeed in finding an anti-opium remedy containing no morphine or other substances injurious to health, it would be prepared to make this remedy publicly known and to see that it be sold at cost price.

As a rule, opium-using labourers are not admitted to the Government undertakings. Where, as with the tin-workings in the island of Banka, the entire prohibition of the use of opium would be a danger to the undertaking, the Government has earnestly endeavoured, by adopting effective measures, to arrive at the ultimate extinction of the evil. Workmen newly engaged by this important concern, which almost exclusively employs Chinese workers, are forbidden to use opium. Only such as were active with the undertaking before the year 1917, and then already indulged in the opium habit, are allowed to continue, subject to severe restriction.

X. — The provisions of the Opium-Régie, which allow the importation and sale on the part of the Government only and prohibit any export, naturally admit of an exception with regard to opium for medical purposes.

The regulations concerning this matter equally hold good for opium, morphine, cocaine and all kindred drugs. The importation, manufacture and sale of drugs are allowed to no other persons than to such as are authorised thereto, under due guarantees¹; the possession of drugs is not permitted to others without a medical prescription, and is subject to many restrictions.

The provisions laid down for exportation, which in practice does not exist, have since 1911 prevented possible consignments to countries closed to any imports. The import-certificate system of the League of Nations, adopted by the Netherlands Indies, in no way alters the actual situation.

XI. — The Netherlands were represented on the International Opium Commission at Shanghai in 1909 and in the International Opium Conference held at The Hague in 1911 and 1912. The International Opium Treaty of January 23rd was signed by the Netherlands, also in behalf of her overseas possessions. The treaty was ratified on July 28th, 1914.

As may be gathered from the foregoing sections, the opium policy in the Netherlands Indies is founded on the principles adopted internationally.

At Shanghai already the representative of the Netherlands Indian Government declared :

1. That the Netherlands Government, being convinced of the desirability of restricting the use of opium, will never be prevented by financial considerations from taking such measures as will, in its opinion, genuinely effect a gradual decrease in consumption.

2. That the Netherlands Government would not object to such alterations in the Régie system as might be likely, in its opinion, to check the use of opium, or to the extension of the means of preventing smuggling by land and sea.

Accordingly, when the Convention was concluded, the statutory provisions met the requirements thereof, so that no alterations or important measures were required.

In accordance with Article 6 of the Convention, the endeavours of the Netherlands Indian Government have for their ultimate object the total suppression of the use of opium. Primarily, it will try to restrict the use to such as, at the present moment, are habitual smokers, and to prevent others from taking to the drug. The Government is of opinion that, for the present, it can take no further steps and that only by degrees will it be able to attain its end. A sudden prohibition, for example, might lead to the licit use of opium being supplanted by a surreptitious one and would, no doubt, give rise to a large-scale contraband traffic, with all the resultant drawbacks of corruption and vexation. This illicit traffic would very likely cause an increase of the actual use of opium and could not possibly, under the present circumstances, be kept within reasonable bounds in a great empire of islands like that of the East Indies. Such a prohibition cannot be contemplated unless the production of and the trade in opium should be completely controlled by the Governments by means of international measures. In order to gain this end, the Netherlands delegate moved, on the International Opium Commission at Shanghai in 1909, a resolution :

¹ Duly authorised persons are : (a) pharmaceutical chemists ; (b) medical men, qualified to keep a dispensary ; (c) veterinary surgeons at places where there is no dispensary, or where no dispensary was established at the time of their settling down.

To medical men who have no dispensary, veterinary surgeons at places where a dispensary is established, qualified dental surgeons and directors of private infirmaries which, in the opinion of the Director of the Civil Medical Service, are entitled thereto, the possession is allowed, inasmuch as this is necessary to enable them personally to administer or to apply the narcotics.

“... To recommend to the various Governments, after having established such a system that nobody concerned in its management is interested in the amount of sale, to enter into diplomatic deliberations to the end that henceforth the wholesale trade in opium be allowed only between the Governments of opium-producing and opium-consuming countries and be forbidden to any private person.”

This resolution, however, encountered various difficulties at the time.

Only in the event of there being no further danger of any extensive contraband traffic could the Government give due consideration to the question in how far more vigorous measures might bring us nearer to the end in view—total suppression of the use of opium.

XII. — Locally, good results have occasionally been achieved with the measures adopted to fight the opium habit. In the island of Madura, for example, the consumption totalled, in 1903, 6,194 tahils and in 1921 no more than 1,753 tahils; in the districts of Bali and Lombok 311,333 tahils were sold in 1909 (the first year after the introduction of the Régie), as against 45,095 tahils in 1921; in the island of Banka, the consumption had in 1914 increased to 82,554 tahils and was reduced to 21,145 tahils in 1921. These figures seem more gratifying at first sight than they actually are, a falling-off in the licit trade being attended with a growing contraband traffic, especially as far as Banka is concerned.

The aggregate quantity, however, consumed in the Netherlands Indies has not fallen off to such an extent as had been anticipated. In 1914 (the first year when the Régie was in operation throughout the Netherlands Indies), it amounted to 2,559,832 tahils, then showed several fluctuations until 1920, without ever being in excess of the above quantity, but grew in 1920 to 2,607,840 tahils. In 1921, however, the total sales had again fallen off to 2,194,729 tahils and will, no doubt, show a considerable decline for 1922.

According to the late census (in November 1920), the number of inhabitants in the Netherlands Indies was 49,350,834, so that in 1921 the consumption *per capita* averaged 4.44 mata, or about 26 grains.

The Treasury is still deriving considerable revenues from the consumption of opium. The gross proceeds, influenced by the steady increase of the selling price, amounted in 1921 to 53,264,761 fl., being 7.52 per cent of the receipts of the Government, which in that year totalled 708,592,111 fl.

The receipts aggregated in 1914 281,403,431 fl., the gross proceeds of the monopoly 34,987,868 fl., or 12.43 per cent of the total. For various reasons, however, this comparison does not altogether hold good. The following is a more reliable one. The net revenues of the Netherlands Indies (by which is understood the revenues decreased by the expenditure standing direct over against same) amounted in the first-mentioned year to 383,396,606 fl., while the net proceeds of the monopoly were 44,209,371 fl., which is 11.53 per cent.

For 1914, the net revenues totalled 175,537,695 fl., inclusive of the net proceeds of opium at 28,814,637 fl., or 16.42 per cent.

It should be remembered that, in order to calculate the net receipts of opium, the gross receipts have been decreased by the direct expenditure only. Indirect expenditure, among which the cost of reinforcement and extension of the police takes a prominent place, has not been taken into account.

It must be put down to various causes that the attempts at reducing the use of opium within narrower limits have thus far not been more successful, in spite of the elaborate system.

One of the primary causes is the fact that the measures adopted to combat the use of opium in the Netherlands Indies are, on the whole, but little furthered by the population. No vigorous movement is started by the inhabitants themselves to support the Government in its earnest endeavours to suppress the evil. Matters will gradually improve if, *i.e.*, a higher educational level be attained. The Government has intimated its readiness to support financially any society that might be found willing to cope with the abuse of opium, in order to enable it to pay a propagandist. Some time ago an anti-opium society was actually formed, but its efforts to find a fit propagandist have hitherto failed. Moreover, a division of the Independent Order of Good Templars Neutral is operating in the Netherlands Indies. This Order has set itself the task of fighting the opium and drink habit, but comes too little into contact with the native population proper. Furthermore, the Government itself established a Commission composed of European, native and Chinese members, which assists it with advice in all matters touching the opium problem.

The growing prosperity, which in 1920 had probably reached its highest level, has, no doubt, largely contributed to the increased use of opium. Not only did the wages rise and did the lower classes make higher prices for their products, but, in addition to this,

the number of non-native workmen, among whom there are always a great many opium-smokers, increased to a marked extent. It should, therefore, be chiefly put down to the all-round depression and stagnancy in trade, industry and cultures that the figures for 1922 will be considerably lower than before.

It is a matter of course that the Government would have been glad to state a better result of its endeavours, but nevertheless there is no cause for uneasiness.

In the first place the use of habit-forming poisons other than opium-smoking has, as was stated above, hardly penetrated into the Netherlands Indies. This is certainly a gladdening fact, it being generally admitted that opium-smoking is the least harmful form of using narcotics, notably if the drug, as in the Netherlands Indies, is of good quality. One of the ex-managers of the factory of the Opium-Régie at Batavia, M. Haak, a qualified chemist, came, after elaborate tests and experiments, to the conclusion that a moderate and proper use of good opium has no detrimental effect whatever, either physically or mentally.¹

Without fully endorsing this opinion, we may safely say that in the Netherlands Indies there is no danger of any undermining of the national strength or welfare on account of the use of opium. Naturally, this will not keep the Government from vigorously proceeding on the way to a total eradication.

The quantity of opium consumed in the Netherlands Indies is relatively inconsiderable. If we restrict ourselves to Java and Madura, where approximately three-fourths of the population of the Netherlands Indies are living and where fairly reliable figures are available, the consumption per year and *per capita* of the population averaged :

4.2	mata ² during the years 1889-1893 ;
3.6	mata during the years 1894-1898 ;
2.7	mata during the years 1899-1903 ;
2.5	mata during the years 1904-1908 ;
3.32	mata in the very unfavourable year 1920, and
2.846	mata in the year 1921.

It is worthy of note that the relatively small number of Chinese (according to the census of November 1920, over 400,000, compared with a total population of about 35 million souls) consumes 40 per cent of the total quantity of opium. Accordingly, calculated separately for the Chinese and the natives, the consumption *per capita* in 1920 averages for the former 120.4 mata, as against 2 mata for the latter.

¹ The late Mr. Warren D. Barnes, Secretary for Chinese Affairs, of Singapore, informs us as follows in his "Report upon the Opium-Régies in the Netherlands Indies and French Indo-China, with especial reference to the applicability of a similar system in British Malaya", dated Singapore, October 10th, 1908.

"I was shown in Batavia a most interesting discussion upon the physical effects of opium by Apotheker Haak, which explains many inconsistencies in the evidence upon the subject. He is of opinion that the use of opium is comparatively harmless under the following conditions only : first, if the opium is smoked ; secondly, if it is pure ; thirdly, if the smoker is expert. That chandu-smoking is the least harmful form of indulgence in opium all are, I think, agreed. As to other conditions, Dr. Haak maintains that chandu-smoking is always harmful unless the resins and gums and getah in opium have been removed by the usual process of roasting and filtration and unless the chandu so made is free from any admixture of foreign organic substances, all of which have an injurious effect, either because their fumes are actively noxious or because their presence raises the temperature at which the chandu is smoked. On this latter point he lays great stress ; he points out that chandu-smoking is merely the dry distillation of an organic substance and that the substances which 'come over' in the smoke differ very widely according to the temperature at which this distillation is conducted, i.e., at which a pipe is smoked. According to Dr. Haak, the more deleterious ingredients in chandu are less volatile than those which are comparatively harmless, and the expert well-to-do smoker who always keeps his chandu as far from the flame as possible leaves dross, which contains the maximum of morphine and other toxic matters, and gets his stimulation without any great harm to himself, while the unskilled or poorer smoker, using much more heat, obtains the maximum of stimulation out of a given quantity of chandu, but at the same time absorbs into his system many poisons which the other smoker left in the dross. Dr. Haak is therefore of opinion that the smoking of dross is harmful, because the dross has, in its previous distillation, lost all the stimulating but comparatively harmless vapours which the original smoker enjoyed, and retains only the harmful ones whose effects, though similar in some respects to those of fresh chandu, are also actively injurious.

"It may be added that a confirmed dross-smoker cannot get adequate satisfaction out of chandu-smoking, just as an absinthe-drinker cannot be satisfied with brandy ; that the typical 'opium sot' or 'opium wreck' is almost always a 'dross-smoker' and that many Chinese carefully avoid the use of dross for fear of acquiring the dross habit. Of course, dross-eating is worse than dross-smoking, though it is very common among those who cannot spare time for smoking."

² 1 mata = 1,583 grains ; 1 grain = 6.45 centigrammes.

Annex 4

C.O.P. 18.

SUMMARY OF THE PRESENT POSITION IN SIAM WITH REGARD TO THE APPLICATION OF CHAPTER II OF THE HAGUE CONVENTION OF 1912.

Statement submitted by His Highness Prince Charoon.

The "farming system" was abolished at the beginning of 1907 and the Government took over the farm, together with the old primitive factory where prepared opium was then manufactured for consumption. Sub-farmers, however, continued to be employed.

In 1908, his late Majesty, in his annual speech from the throne, publicly proclaimed a policy of gradual suppression, and this policy has ever since been strictly followed.

In 1912, a new and modern factory was erected, and since then opium has been sold in tubes.

In 1918, the sub-farmers ceased to exist and were replaced by revenue officials in every amphur (district), under the supervision of the Nai Amphur (district officer).

At the present time, prepared opium is manufactured by the Opium Department at its factory in Bangkok and is retailed in tubes of different sizes.

The present system of sale is through licensed shops, the number of which has been gradually reduced from 3,000 in 1917 to 946 in the present year. The owners of these shops receive licences for the sale of given quantities of prepared opium, and they are the only persons authorised to sell to the public, but only for consumption on the premises. It is illegal for anyone to smoke outside an opium-shop. Exceptions are made in the case of individuals of standing who desire to smoke at home, whose number is, however, very limited and who have to register themselves and take out licences to do so. In order to act as a deterrent to those applying for this privilege, the price of opium for home smokers is higher than that charged in retail shops, *i.e.*, opium, which in the greater part of the country is sold at 15 tcs. per tamlung in the retail shops, is sold to home smokers at 20 tcs. per tamlung. The licence given to these home smokers is in the form of a passbook in which the purchases of the licensees are entered and the Nai Amphur is required to fix, in each case, the quantity which can be so purchased.

In 1921, the new Opium Law of B.E. 2464 was promulgated. This law contains three sets of provisions, which were intended to operate in three distinct and successive periods. The provisions which became immediately operative were those which enforced the then existing provisions of the law modified and brought up to date. There is a provision making it illegal for any person other than the retailers and home smokers to be in possession of any amount of opium.

The second set of provisions came into force in 1922, and since then it is illegal for anyone except licensees of an opium-shop or home smokers to be in possession of an opium-pipe.

There is yet a third set of provisions, which will come into force only at a future date, to be subsequently notified in the *Government Gazette*. These provisions deal with registration of smokers in Siam and will subsequently be more fully dealt with.

In regard to raw opium imported into the country, the only supplies now being procured are those imported from India under an arrangement with the Government of that country. This arrangement commenced from the year 1918, and the following is the number of chests the purchase of which has been provided for from the year 1918 to 1924 :

Year	Chests
1918	1,700
1919	1,700
1920	1,700
1921	1,700
1922	1,650
1923	1,600
1924	1,500

It will be seen from the above figures that, during the last three years, there has been a reduction of as much as 300 chests of raw opium imported into the country.

Annex 5

C.O.P. 1 (revised).

SUMMARY OF THE INFORMATION RECEIVED FROM GOVERNMENTS WITH REGARD TO PREPARED OPIUM IN THE EUROPEAN POSSESSIONS AND COUNTRIES OF THE FAR EAST.

Memorandum prepared by the Secretariat of the Conference.

British North Borneo.

Smokers are not registered, and, with a population of some 208,000 inhabitants, British North Borneo is credited with a total consumption of 7,729 kilos during the year 1920.

In 1914, a Government monopoly for the purchase, preparation and sale of chandu (opium prepared for smoking) was established. The consumption of prepared opium has increased from an average of 6,600 kilos per annum in the years 1914 to 1916 to an average of 8,400 kilos per annum in the years 1918 to 1920, that is to say, 27 per cent, while the Chinese male population has increased from 30,200 in 1915 to 37,600 in 1919, an increase of 21.3 per cent only.

This increased consumption per head has taken place in spite of successive increases in the sale price.

The largest packet of prepared opium sold contains 5 hun (equivalent to one-twentieth of a tael) and costs 47½ cents, a price of \$9.50 per tael compared with \$12 in Straits Settlements and \$14.50 in Hong-Kong. Opium may be smoked in licensed houses or privately.

The Court Directors of the British North Borneo-Company consider that the Chinese population, to which the consumption of opium is entirely confined, is in effect rationed at a very moderate rate.

Burma.

As far as prepared opium is concerned, the Report on the Administration of the Excise Department in Burma during the year ended March 31st, 1921, states that "at the end of the year under report, the preparation of opium in shops ceased and the simpler method of fixing fees, foreshadowed in the last report, was introduced for the current year". Hitherto the position was similar to that in India, except that the sale of prepared opium in Upper Burma for other than medical purposes is absolutely forbidden, while in Lower Burma opium could only be sold to such Burmans as were registered as opium consumers. The number of registered consumers has been reduced from 12,000 in 1912 to 5,405 in 1920.

In the Report on the Administration of the Excise Department in Burma during the year ended March 31st, 1920, it was stated that, "should it be decided to cease preparing opium in opium shops, a simpler method of fixing the fees payable by licensed vendors may be possible". This decision has not been definitely taken; it would therefore appear that the sale of prepared opium has ceased in Burma since March 31st, 1921. There appears to have been a systematic reduction of smokers by the elimination of Burman smokers, and a systematic revision of the allowance of opium per consumer which tended to reduce issues and which fell 4,264 seers as compared with the issues for the years 1919-1920. The figure for the licit consumption per 100 of the population is less than one pound of opium per annum or an allowance per head of less than one-sixth of an ounce of opium.

The sales of Excise opium fell in 1921 to 37,946 kilos as against 41,924 kilos in the preceding year.

Ceylon.

A decrease in sales both of eating and of prepared opium occurred in 1921, sales of the former having decreased from 2,705 kilos (5,950 lbs) in the preceding year to 2,437 kilos (5,362 lbs) in 1921; whilst the sales of prepared opium fell from a total of 323 kilos

(713 lbs) in 1920 to 306 kilos (675 lbs) in 1921. Decrease in consumption has followed upon the reduction of consumers through the death of a certain number of them, revision of the register of consumers and the reduction of the amount allowed to be purchased.

There is no export of prepared opium from Ceylon.

China.

There is no official data available of the clandestine manufacture, internal traffic in, and use of prepared opium in China, which is still forbidden by law.

Formosa.

From the reply received from the Japanese Government relative to the quantities of prepared opium manufactured in Formosa, it seems that the quantities of prepared opium manufactured decreased from 106,206 kilos (233,654 lbs) in 1910 to 65,443 kilos (143,975 lbs) in 1920. It may be worth recording that the manufacture of crude morphia has increased correspondingly with the decrease in manufacture of prepared opium. It has risen from a nil recorded production in 1914 to some 3,644 kilos in 1920.

The consumption of prepared opium would appear to be limited and restricted to recognised opium addicts, new permits to smoke being refused.

There are regulations providing for the punishment of those who use prepared opium without permission. The actual amount consumed during 1920 was slightly in excess of the amount actually produced, amounting to 66,517 kilos for a population of some 3,654,000 inhabitants, or an average consumption of some 18.2 grammes *per capita*, whilst the number of consumers being 49,031 showed that the consumption amounted to 1.36 kilos per head of registered consumers.

The policy of gradual suppression is being pursued, licensed consumers decreasing from 169,064 in 1900 to 49,031 in 1920; non-issue of new licences and the decrease through death of registered smokers justify the assumption "that the complete suppression of licensed smokers may be effected within perhaps 15 years".

Hong-Kong.

The total sales of prepared opium during the year 1921 amounted to :

Prepared Bengal opium	261,059.4 tael
Prepared Persian opium	1,074.0 "
Dross opium	672.0 "

equal to 9,954,545 kilos amongst a population numbering in all 625,166 inhabitants, of which, according to the census of 1921, 610,368 were Chinese. The Chinese population has been growing rapidly.

The measures which are being taken for the gradual and effective suppression of the manufacture of, internal trade in, and use of prepared opium are as follows :

- (1) The system of raising the selling price of opium ;
- (2) The limiting of purchases to one tael (= 1¹/₃ ounce) at a time, except in the case of certain registered persons who are allowed to buy three-tael tins ;
- (3) Limiting the amount which an individual may have in his possession to five taels.

Hong-Kong is ready and willing to co-operate in the suppression of the traffic and it will have no hesitation in accepting any financial sacrifice that may be entailed in making suppression effective.

The public smoking resorts known as "opium divans" were finally abolished in 1910, and in 1914 the monopoly, which had previously been farmed out, was taken by the Government into its own hands.

Indo-China.

During the year 1921, 73,211 kilos of prepared opium were consumed, the estimated number of smokers being about 110,000 out of a population of 20,000,000 inhabitants.

A system of Government monopoly working very much on the lines of the Government monopoly of the Straits Settlements has gradually reduced its manufacture and sales of prepared opium, with a result that the sales fell from 136,300 kilos in 1916 to 73,211 kilos in 1921, showing a quantity reduction of 42 per cent over a period of five years.

Compared with the figures for 1911, 1912, 1913, the consumption for 1921 shows an increase; similarly, if compared with the figures for 1919, when the recorded consumption amounted to 57,000 kilos, or with the figures for 1920, when the recorded consumption amounted to 63,000 kilos, the figures for 1921 show an increase of consumption. The year 1916, with which the comparison is made, is the one which shows the highest recorded

consumption during the last eleven years. The following figures show the consumption during the last eleven years in kilos :

1910	77,741
1911	62,728
1912	67,564
1913	68,428
1914	72,842
1915	75,466
1916	140,229
1917	113,461
1918	114,700
1919	57,000
1920	63,000
1921	73,211
1922	68,254

This gives an annual average consumption for the period 1910-1920 inclusive of some 83,000 kilos, and for the four years 1912 to 1915 inclusive an average of 71,075 kilos.

Korea.

The importation and use of opium prepared for smoking are prohibited.

Kwantung, Leased Territory of.

It would appear that the opium sold as prepared opium is actually prepared by the retailers and there are no statistics available for prepared opium.

Macao.

The figures available are those of 1920 and show that 20,500 kilos of prepared opium were manufactured in the Colony, of which 9,500 were exported to Chile, leaving available for internal consumption some 10,900 kilos. Of this amount, 10,622 kilos were actually consumed during the year in the Colony, whose population is 74,000. This shows the average consumption to be 147,297 milligrammes or 2,266 grains per head.

Malay States.

1. *Federated.* — The supplies of prepared opium in the year 1921 amounted to 34,070 kilos (74,953 lbs), but 958 kilos (2,108 lbs) of this consisted of damaged chandu returned at various times during the year for re-preparation, leaving a net import of 33,112 kilos (72,845 lbs). The opium is supplied by the Straits Settlements. The recorded figures of Straits Settlements consumption of prepared opium show that in the Straits Settlements the consumption of prepared opium rose from 62,801 kilos (138,163 lbs) in 1910 to 68,783 kilos (151,322 lbs) in 1920, showing a net quantity increase of 5,981 kilos (13,159 lbs). A system of registration of opium smokers does not seem to be in operation. Converted into kilos, the consumption of opium shows that there were 3,111 kilos consumed amongst a population of 1,036,000 inhabitants, or 32 grammes per head.

2. *Unfederated.* — The supplies of prepared opium received in the Unfederated Malay States amounted to 20,991 kilos. These supplies originated in the Straits Settlements and represent the net amount available for internal consumption for a population of 984,000 inhabitants; this is equal to an allowance of 21,332 milligrammes per head of population, representing an allowance of 348 grains of prepared opium.

Netherlands East Indies.

The amounts of raw opium imported during the years 1920, 1921 and 1922 were as follows :

1920	172,932 kilos
1921	117,344 "
1922	111,380 "

The following table shows that the quantity of prepared opium manufactured during the seven years 1914 to 1920 was :

1914	112,990 kilos
1915	86,133 "
1916	82,310 "
1917	105,946 "
1918	84,528 "
1919	86,489 "
1920	126,817 "

The figure for consumption was 2,194,729 taels (83,399 kilos) in 1921 and 1,695,601 taels (64,450 kilos) in 1922.

Siam.

The recorded amount of prepared opium available for internal consumption during the years 1920-1921 amounted to 70,054 kilos, which is in excess of the amount recorded as actually consumed during 1911, 1915, 1919. The number of smokers is estimated to be 200,000 in a population of 9,121,000 inhabitants, and the average consumption per smoker during the period 1920 to 1921 would appear to be 350,220 milligrammes, or 7,680 milligrammes per head for the whole population. This would be equal to an allowance of 120 grains per head.

The statistics furnished by the Siamese Government for the years 1910-1911 to 1919-1920 show that, whilst the actual quantity of prepared opium consumed in Siam cannot be given, the quantity sold annually in the interior of the country is as follows :

1910-1911	67,296 kilos	
1911-1912	70,677 »	
1912-1913	74,293 »	
1913-1914	76,421 »	
1914-1915	71,421 »	
1915-1916	68,023 »	
1916-1917	71,466 »	
1917-1918	76,693 »	
1918-1919	69,743 »	
1919-1920	71,281 »	
1921	51,407 »	} Sold for smoking or consumption.
1922	47,286 »	
1923	50,780 »	

Straits Settlements.

The manufacture, sale and distribution of prepared opium or chandu was made a Government monopoly from January 1st, 1910. The Government has made use of its monopoly since 1910 to discourage the smoking of chandu by gradually reducing the number of opium smoking-room licences, which in 1922 numbered 211 as against 503 on December 31st, 1909, and by successive increases in the price of chandu, wholesale and retail. The wholesale price was raised successively from \$3 to \$4.36 per tael in April 1910, and to \$5 in May 1912, \$6 in February 1913, to \$8 in April 1916, to \$10 in November 1916 and \$12 in October 1920.

At the beginning of 1920, an attempt was made to reduce the consumption of prepared opium by introducing a system of rationing, whereby retailers were supplied with only 90 per cent of their former average purchases. Great dissatisfaction was caused owing to hoarding and profiteering, which were natural results of the system. The attempt was abandoned at the end of April.

The following table gives the figures for manufacture and consumption respectively :

Year	Manufacture lbs.	Consumed lbs.
1910	323,633	138,163
1911	393,635	148,209
1912	414,579	141,926
1913	382,459	125,338
1914	309,065	117,688
1915	328,071	121,644
1916	353,938	121,551
1917	293,444	108,524
1918	335,038	131,255
1919	359,848	141,728
1920	370,688	151,322

During the same period the actual amount of prepared opium supplied by the Straits Settlements to Johore, Selangor, Kedah, Perlis, Langkavi, Kwantang, Brunei, Kelantan, Trengganu and Parak amounted to :

	lbs.
1910	101,806
1911	264,081
1912	274,767
1913	240,005
1914	194,728
1915	216,213
1916	225,429
1917	195,078
1918	221,815
1919	228,665
1920	216,385

PREPARED OPIUM STATISTICS.

(Weights are given in kilogrammes throughout.)

1	2	3	4	5	6	7	8	9
Countries	Year	Locally manufactured kg.	Available for internal consumption kg.	Actually consumed kg.	Population (in thousands)	Adult Chinese male populations	Number of registered smokers	Remarks
BURMA	1920	—	—	41,924	13,000		5,405	No statistics as to quantity used; only statistics refer to Excise opium issued to retailers for ultimate preparations. The figures recorded as opium sold for consumption (column 5) have been considered as representing prepared opium, though the Report of the Administration of the Excise Department does not qualify it as prepared opium.
	1921			37,946				
	1922			30,778 ⁽¹⁾				
	1923							
BRITISH NORTH BORNEO	1920	8,435	8,435	7,712	258	20,700		Smokers not registered.
	1921			5,124				
	1922			4,396				
	1923	⁽²⁾		4,209				
BRUNEI	1920				40	884 †		† 1921 census. No precise figures available. The sale of prepared opium in the District of Muara is not taken into account.
	1921							
	1922			178				
	1923			226 ⁽³⁾				
CEYLON	1920			323	4,504	688	11,842	
	1921	3,818	3,818	306				
	1922			288				
	1923			256				
CHINA	1920				436,094			No legitimate trade. Amount of illicit consumption unknown.
	1921							
	1922							
	1923							
MALAY STATES (FEDERATED)	1920			59,708	1,036	292,491 †		Export prohibited. The amounts stated to be locally manufactured in 1921 and 1922 were manufactured in Singapore. Smokers are not registered. † 1921 census. No precise figures available.
	1921	33,112	33,112	37,390				
	1922	35,755	35,755	32,140				
	1923			38,072				
MALAY STATES (UNFEDERATED)	1920			37,724	984	121,809 § †		Export prohibited. The amount stated to be locally manufactured in 1921 was actually manufactured in Singapore. Decrease in Trengganu due to decrease of Chinese population. § 1921 census. No precise figures available. This figure does not include Brunei, which is given above.
	1921	20,991	20,991	23,641				
	1922			20,364				
	1923			23,483				
FORMOSA	1920	65,443	65,443	66,517	3,654	} Not known*	49,036	Excess of consumption over manufacture due to stock in hand. * Total Chinese population at the end of 1922 : 27,066.
	1921			52,838				
	1922			54,166				
	1923							
FRENCH INDIA	1920				263		7,840	Number of smokers given approximately.
	1921							
	1922			524				
	1923							

⁽¹⁾ From April 1st, 1922, to March 31st, 1923. ⁽²⁾ 5,911 kg. raw opium were used for manufacture of prepared opium. The origin of this opium not being given, it was not possible to calculate the exact quantity of prepared opium in 1923. ⁽³⁾ The increase is due to a large influx of Chinese labour in connection with work on rubber estates and a new oil-field.

PREPARED OPIUM STATISTICS (continued).

1	2	3	4	5	6	7	8	9
Countries	Year	Locally manufactured kg.	Available for internal consumption kg.	Actually consumed kg.	Population (in thousands)	Adult Chinese male populations	Number of registered smokers	Remarks
FRENCH INDO-CHINA	1920	53,616	53,616	63,000	20,000		110,000	Number of smokers presumably estimated. Reduced from 136,300 kilos in 1916. No other data available. Smokers not registered.
	1921			73,211				
	1922			68,254				
	1923							
HONG-KONG	1920	10,975	10,975	11,127	635*	About 50 % of Chinese population		Smokers are not registered. *Chinese population.
	1921	10,205	10,205	9,934	675			
	1922			13,999	705			
	1923	(⁸)		14,520	1,000			
INDIA	1920				319,075			} No statistics of prepared opium for smoking.
	1921							
	1922							
	1923							
KWANTUNG	1920	8,161			600	} 216,745	2,808	Manufactured by retailers. Quantity consumed unknown. All the smokers are Chinese.
	1921			8,636				
	1922							
	1923							
MACAO (¹)	1920	20,500	10,900	10,622	74	Information with regard to the Chinese male population will be found in the Annual Report for Macao, 1922, which has been despatched by the Governor of that Colony, but has not yet been received by the Secretariat.		It has been assumed that each chest of raw opium yields 40 kilos of prepared opium. The export is authorised and is said to have been to Chile. Certain figures have been given by the Portuguese Government with the information that they are calculated on the basis of a proposed agreement between the Portuguese Government and British India. As, however, no information has been received from the Portuguese or British Governments that this Agreement is in operation, these figures have not been included in this document.
	1921							
	1922							
	1923							
NETHERLANDS EAST INDIES	1920	126,817	126,817	100,665§	49,161	See Remarks Column**		§As against an average annual consumption during the six preceding years of 92,712 kilos. Number of consumers unknown. **Total number of Chinese population according to 1921 census was 876,000.
	1921			83,399				
	1922			64,450				
	1923			52,401				
SIAM	1920	70,054	70,054	58,484	9,121	Figures of Chinese male population not available.	200,000	Number of smokers is estimated only. The figures given by the Government are figures for 1920-1921. The figures for consumption represent the amount of opium sold for smoking or consumption.
	1921(⁴)			57,418				
	1922(⁵)			48,169				
	1923(⁶)			50,300				
	1924(⁷)							
STRAITS SETTLEMENTS (²)	1920	168,144	72,000	68,638	881			Smokers are not registered.
	1921	126,612	126,617	57,392				
	1922	109,152	109,157	51,492				
	1923	110,847	110,847	50,246(⁸)				

(¹) The difference between the figures of local manufacture and the amount available for internal consumption is due to the fact that 9,600 kilos were exported from Macao. (²) Prepared opium is manufactured for the use of the Malay States, as well as for the Colony itself. The Malay States obtain all their supplies from the Central Factory in Singapore. In 1920 the amount provided for the Malay States was 98,000 kilos. (³) 13,453 kg. raw opium were used for the manufacture of prepared opium, that is to say, about 8,072 kg. prepared opium. (⁴) From April 1st, 1920; to March 31st, 1921. (⁵) From April 1st, 1921, to March 31st, 1922. (⁶) From April 1st, 1922, to March 31st, 1923. (⁷) From April 1st, 1923, to March 31st, 1924. (⁸) Quantity of prepared opium sold for consumption in the Colony. This figure does not include direct sales to the Malay States.

QUANTITIES OF PREPARED OPIUM CONSIDERED NECESSARY FOR ANNUAL CONSUMPTION.

Notes by the Secretariat Regarding the annexed Tables of Estimates.

(1) The figures which have been used in drawing up the annexed table have been supplied by the various Governments in response to enquiries made at the request of the Council.

(2) The estimates given in the annexed table are to be regarded as representing the quantities required for consumption during the years stated only:

Straits Settlements, Federated Malay States, Unfederated Malay States	1923
British North Borneo	1923
Siam	1924
Netherlands Indies	1922
Hong-Kong	1923 ¹

In the case of Ceylon, no special year is mentioned.

(3) Chapter II, Article 6, of the International Opium Convention of 1912 provides that:

"The Contracting Powers shall take measures for the gradual and effective suppression of the manufacture of, internal trade in, and use of prepared opium, with due regard to the varying circumstances of each country concerned unless regulations on the subject are already in existence."

(4) 100 kilogrammes of raw opium (Bengal opium) have been taken as the equivalent of 60 kilogrammes of prepared opium; in the case of Persian opium, however, the content of prepared opium is greater.

ESTIMATED AMOUNTS OF RAW OPIUM REQUIRED FOR THE MANUFACTURE OF PREPARED OPIUM FOR CONSUMPTION IN TERRITORIES IN WHICH SUCH CONSUMPTION IS STILL PERMITTED UNDER THE CONDITIONS LAID DOWN IN CHAPTER II OF THE HAGUE CONVENTION

1	2	3	4	5	6	7
Country	Estimated annual requirements in terms of their equivalent in raw opium	Native population (in thousands)	Estimated annual requirements per head of native population, in grammes	Chinese population (in thousands)	Estimated annual requirements per head of Chinese population, in grammes	Remarks
	(kilos)		(grammes)		(grammes)	
STRAITS SETTLEMENTS						
FEDERATED MALAY STATES	266,050	3,305	80.49921	1,175	227	
UNFEDERATED MALAY STATES						
BRITISH NORTH BORNEO	11,363	258	44.0426	40	284	
SIAM	90,000	9,120	9.8673			Approximate number of smokers, 200,000; 450 grammes are thus considered necessary per smoker. Of these 200,000 smokers, 25%, or 50,000, are Chinese.
NETHERLANDS INDIES .	104,089	43,992	2.1246			
CEYLON	272	4,489	0.0605			
HONG-KONG	21,744	(a) 705	31	705	31	(a) Chinese population.
MACAO (no figures) . .						
INDO-CHINA (no figures)						
FORMOSA (no figures) .						

Note: In all cases, the native population given in column 3 is equal to the total population less Europeans.

¹ The Government of Hong-Kong estimated 25 chests of raw opium per month as the legitimate requirements of the Colony for the year 1923. Owing to the increase in the Chinese population, the Government considers it necessary to calculate 30 chests per month as a reasonable maximum figure for future years.

Annex 6

C.O.P. 22.

**SUMMARY OF THE POSITION WITH REGARD TO OPIUM CONSUMPTION
IN THE PROVINCE OF BURMA.**

Memorandum submitted by the Delegate for India.

Burma consists of the valleys of three rivers, together with two narrow strips of seaboard. It has a coast-line of 1,500 miles and a land frontier of 2,000 miles, the latter passing through tracts at once mountainous and very sparsely inhabited. Free trade along the land frontier exists between Burma and both China and Siam, and there are therefore no Customs establishments to assist the excise authorities in preventive action against opium smuggling across these frontiers. No smuggling of opium has been reported from Siam. The population is 13 millions, including 900,000 Indian and 149,000 Chinese, of whom 102,000 Chinese are immigrants. With regard to the Burman population, prohibition of opium has been in force in Upper Burma since 1886, the date of its annexation. In Lower Burma, prohibition has been in force since 1893, except for Burmans registered as consumers in that year. The lists of consumers were reopened in 1900-1903 for the registration of persons qualified in 1893 who, for any cause, failed then to register themselves. The number of registered Burmese consumers at different times is as follows :

1902	34,600
1911-12	14,049
1923-24	3,571

Burman consumers predominantly eat opium ; only one in seven or eight consumers is a smoker.. Indian consumers are almost entirely eaters and consume very small quantities. The Chinese are almost entirely smokers of opium. The hereditary need of opium amongst Indian and Chinese is recognised in Burma ; and the Government, which is ready to meet, within reasonable limits, the actual requirements of these races, only does so on terms which reduce to a minimum the chance of their becoming an agency for the spread of opium consumption among Burmans. The total number of consumers of all races supplied by Government shops on August 8th, 1924, was 39,930. Of this total, the Burmans, as already stated, number 3,571. The number of Chinese who registered this year under the scheme, which will be described later, was 18,346. It is admitted that all smokers did not register themselves, and an estimate of 20,000—or 1 in 7 of the total Chinese population—is perhaps a fairly accurate estimate of the number of Chinese consumers. The materials available are insufficient to permit the quotation of a definitely reliable figure. This leaves a balance of 16,359 Indian consumers—or 1 in 50 of the Indian population.

The regulations which govern retail sale are briefly as follows. Sales are made only from licensed shops; there is no licensing fee and the licensee is selected by the Deputy Commissioner with the Commissioner's approval. The cost of the shop charges are known. As the result of the rationing system in force, the amount to be sold in each shop is known and the retail price is fixed. The wholesale price for each shop is so regulated as to give each licensee a reasonable profit, varying with the size of the business done, and averaging 5,700 French francs per annum. Each consumer is attached to one shop only and rationed according to his proved consumption, which is checked by excise officers; all sales are made in the presence of a Government officer, who is posted in each shop; each consumer has a ticket and details of all purchases are entered on it by the Government officer and also in the shop registers. The ticket contains marks of identification, the name of the consumer, the name of the shop at which he is registered, and the amount of his daily allowance. Since April 1921, only raw opium has been sold in the shops. In the present year (1924) the special registration of smokers, as distinguished from eaters, was introduced for the first time, only persons so registered being now allowed to possess prepared opium. The rules provide for the taking of photographs and recording the finger-prints of registered smokers at the discretion of the Deputy Commissioner, and are in other respects based on the rules for the registration of Burman consumers. The scheme is an honest attempt to carry out the policy of the Opium Convention. Its success or failure cannot at present be predicted.

The issues of Government opium in Burma and the retail price at the shops have in recent years been as follows :

Year	Kilos	Average retail price per kilo
1920-21	42,610	Roughly 800 French francs.
1921-22	35,908	" 900 " "
1922-23	34,159	" 1,100 " "
1923-24	31,918	" 1,200 " "

There has thus been a reduction in four years of 25 per cent in the issues of Government opium and an increase of 50 per cent in the retail price, in accordance with the Government policy of a minimum consumption and a maximum price. There are no reliable figures as to the amount of Government opium which is subsequently prepared for smoking by the consumers, but a calculation based on the figures for 1920-21—the last year in which prepared opium was issued from the shops—indicates that the amount of Government opium smoked in 1923-24 was, in terms of prepared opium, 14,038 kilos.

The figures in Government reports refer to Government opium only.

There are two tests which can be applied to ascertain the success of the opium administration: (a) the price of opium in neighbouring territories as compared with the price of illicit opium in Burma; (b) the quantity of illicit opium in the country.

As regards (a), during the past three years on the Yunnanese border illicit opium has been on sale retail at 260 French francs per kilo, and wholesale at prices varying from 40 to 120 French francs per kilo. In Rangoon, the wholesale price of Chinese opium, which is of course illicit, has varied from 884 French francs to 1,190 French francs, and the retail price in 1923-24 was 1,600 French francs. In Bengal, the adjoining province of India, the wholesale issue price of licit opium is 408 French francs per kilo. In Rangoon, the price of opium illicitly imported from India is: wholesale, 952 French francs per kilo; and retail, 2,200 French francs per kilo. The above figures indicate that the Government has hitherto succeeded in controlling the administration so closely that illicit opium still commands a very high price, and this suggests that its administration can be regarded as successful; on the other hand, it is a disquieting sign that, in the areas round the ports possessing direct communication by sea with India, where illicit opium was formerly predominantly Indian, Chinese opium is now gaining ground and driving out the Indian product.

(b) As to the quantity of illicit opium, the average annual seizures during the past few years amount to about 3,500 kilos. Assuming that 10 per cent of the illicit opium in the country is seized, the amount of such opium will be 35,000 kilos. It is not thought that much Government opium is illicitly disposed of by registered consumers. If 5 per cent of issues is so misused, we get a total of some 36,000 kilos as the quantity of illicit opium in Burma; this exceeds the annual issue of Government opium by 12½ per cent. The situation is therefore a serious one. It must be borne in mind that there is at present no through communication by roads suitable for motor traffic between Upper and Lower Burma; a portion of the journey from the north, in the case of Chinese opium, is therefore usually performed by train, which gives better opportunities for control. When, as is likely to happen within a few years, through motor traffic from north to south becomes possible, the difficulty of preventing the influx of illicit Chinese opium will be very greatly increased. At the present moment, it may be said that the Burma Government retains control over the opium traffic, but it is becoming more and more evident that the possibility of the Government continuing to retain control is inextricably bound up with the question of limiting the entry of contraband opium from China.

Annex 7

REPORT FROM THE HONG-KONG CUSTOMS SERVICE ON AN OPIUM SEIZURE AT 104, DES VŒUX ROAD, WEST TOP FLOOR, HONG-KONG.

On November 6th a police inspector, on information received, searched the top floor of the house. As the party at 11 a.m. were going up the stairs, they met a man just coming down with a parcel under his arm which proved to contain Chinese raw opium. On reaching the floor, they found a hand-bag in the passage containing raw opium, and some smaller packages in various parts of the floor also containing the same kind of opium, the total amount being in all 320 taels. Several persons were found on the floor, including a Chinese general of high rank. While the party were there, twelve persons entered the flat, including two small children who were wearing broad pieces of cloth around their waists under their coats, obviously to be used to carry away the opium which was to be purchased by the persons accompanying them. One man tore up and threw away a piece of paper which, when recovered, proved to be an order for 110 taels of opium and instructions to debit the cost to his current account. A large number of account-books and documents were found, the examination of which proved a very long and tiring task. The result is given in brief below.

The "firm" consisted of five partners, the capital being \$6,500. The floor was occupied nominally as a club; the front room was used as an office, in which the accounts were kept and customers entertained. One cubicle was apparently used for the accommodation of friends and customers visiting the Colony; the end room was used for the sale of opium. Six assistants were employed, some of whom brought the opium from the ships and distributed it in Hong-Kong. The firm appeared to be composed of natives of the Swatow district. One assistant was permanently stationed at Hoihow, the port for the island of Hainan.

Nature of the Business. — Opium was bought in Hoihow or Pakhoi, sometimes on the firm's own account, sometimes on the account of various friends of the firm, who sold it on commission. Some was sent by an employee of the firm, but he soon got into prison in Hoihow, and thereafter the opium was mostly obtained through commission-agents in Hoihow and Pakhoi, both of whom were only acting for others. The firm seems to have been in the opium trade about one year, and in that time they imported roughly 120,000 taels of raw opium from the places mentioned; this opium was retailed here in quantities from 2 taels upwards, mostly in quantities of between 50 and 100 taels. Occasionally a large consignment was forwarded to Swatow, where the firm seem to have been on very good terms with an official bureau called "The Opium Suppression Head Bureau". This bureau seems to be another name for the Swatow Opium Farm, which sometimes bought the opium forwarded outright, sometimes sold it on a commission basis. The largest amount imported in any one consignment was 4,200 taels. Most of the consignments were much smaller. The business was very active up to about June, when the old crop was practically exhausted, and the price at Hoihow had risen greatly, while quality had so greatly deteriorated that it was useless to buy for the Hong-Kong market, which required the best quality only. Some delay was experienced in placing the new crop on the market in Pakhoi and Hoihow, and letter after letter records the writer's disappointment that the supplies of the new crop were not yet to hand. The loss of a cargo of opium already reported (September 6th) appears to have caused some alarm and some loss, as the question of paying compensation is raised in one letter which bemoans that disaster. Any qualms the firm may have had as to the safety of their business soon vanished, and by November their business was more prosperous than ever, and they were taking between \$400 and \$500 a day. Opium was sold every day of the month preceding the search, and the number of separate sales was over ten every day.

Price and Nature of the Opium. — The price varied very greatly according as the place of purchase was near or far from the province of Yunnan and as the supplies of the old crop became exhausted. The price in the Yamchow district, close to the frontier of Yunnan, was about \$1.45 per tael; in Pakoi—*i.e.*, half-way to Hoihow—about \$1.70. In Hoihow itself about \$1.90 to latterly \$2.10. It is difficult to make out what the actual sale price was in Hong-Kong, as most of the customers had ledger accounts and paid money in lump sums from time to time, and the price of the opium sold was not given in the daily sales book. However, judging from the rebates given for short weight and stones, the price seems to have been about \$2.70. In certain cases it appears that the persons who bought the opium were only the agents of the firm; they took the opium at a certain price, but if they could make more on retailing it, a certain amount of the extra profit went back to the sellers or the partners of the firm. Of the opium sold to Swatow, a certain amount of profit would ultimately reach the partners in the firm, through their shares in the firm actually selling the opium. The partners in the Hong-Kong firm also appear to have had an interest in the firms in Hoihow and Pakoi from whom the opium was bought; they also appear to have had a share in the junks which were specially chartered to bring the opium from the mouth of the Loongmoon river to Pakhoi or Hoihow. It is therefore impossible to calculate what the profits of the several partners were finally. The ultimate profits were probably large, as the risks were spread over so many persons and firms that a loss in connection with one branch of the business would be fully made up by the success of another. Most of the opium dealt in was the "bamboo" style, so called from the piece of bamboo used to form the bottom of the pat of opium. This kind of Yunnan opium always fetches a higher price here than the "pillow" style, so called from its being in lumps resembling a Chinese pillow.

Methods of Introduction. — The opium was bought in the Yamchow district and escorted down the Loongmoon river by soldiers, who were paid at a fixed rate. Many of the friends of the firm appear to have been military officials, whose aid is indispensable to the opium trade at present in China, if only to afford protection. At the mouth of the river, the opium was put into junks, often chartered for the purpose, and conveyed to Pakhoi or Hoihow. At Pakhoi it apparently came under official cognisance, as in one account of expenses a sum at the rate of 5 cents per tael is given as stamp duty. That stamp duty is

collected on opium at Pakhoi is confirmed by a seizure made last week of opium, each cake of which bore stamp-duty labels. At Hoihow, the charges payable appear to have been various, which is accounted for by the disturbed state of that port. Sums are constantly appearing in the invoices for Customs duty; in certain cases the expression used suggests that the payment made was not strictly legal, even as legality goes in the outports of China to-day; whether some of the payments were in the nature of bribes to Customs officers or payments made to some official to allow the opium to pass is not clear. At Hoihow, the opium was placed on board various ships regularly running between Hoihow and Hong-Kong. The fee for getting the opium on board was fixed at 5 cents per tael, paid in Hoihow. The opium was entrusted to the Chinese crew or the comprador's staff, and for this a regular fee was paid of 15 cents per tael. (Occasionally it is plain from the books of account that the crew did not get their proper share, two or three cents sticking to somebody's palm on the way.) This money was disbursed by the firm or their agents in Hong-Kong. Probably a member of the firm was allowed the full 15 cents, but was permitted to make a better bargain if he could; thus in certain cases only 13 cents was actually paid over, though in the ledger of the firm the full 15 cents appears. The expenses of landing in Hong-Kong are charged at a uniform rate of 15 cents per tael. This is sometimes called boat hire, sometimes godown rent, sometimes "robbers' den" rent, sometimes simply landing expenses. This work also seems to have been contracted out to someone connected with the firm. There was doubtless a little profit for someone here also.

From various indications, it appears probable that the opium was put off the steamers before they reached the harbour. (That this is the common practice is confirmed by the seizure of several codes recently giving the code for various places outside the harbour where the ship was to be met by sampans and the opium taken off. These codes were very detailed and enabled full instructions to be cabled.) The opium was apparently kept on the sampan and only enough for one day's sales actually brought ashore at one time.

Profit. — The profit made in one transaction was small; in one case, on an investment of \$2,900, the net profit was only \$229 in subsidiary coin; in another, on \$7,300, the profit was \$1,200. In some cases of consignment cargo the only charge made was a commission of 5 cents per tael; in other cases, a charge was made of 2 per cent. on the amount actually realised by the sale of the opium. The actual expenses of the firm in Hong-Kong were about \$2,500 per annum. The high profits made on a small capital were due to the very rapid turnover, for instance, the last consignment of about 4,100 taels was received on November 1st, and by the 5th nearly half had been sold and mostly paid for; also a large profit was realised on the arms deals in addition, which was in the nature of a double profit, as it saved the expense of remitting money to pay for the opium.

Associates. — The firm had influential friends among the officials at Pakhoi, Hoihow and Swatow. Apart from the constant mentions of the services of military officers, as is common in such cases, there were mentions of high civil officials, including one who apparently held high judicial rank. These officials were not content with merely receiving the price of their silence or blindness, but in some cases actually sent opium to the firm for sale on commission. Their associates in the Colony, on whom Revenue officers called, in most cases appeared to be respectable merchants from the Swatow district; in a few cases they proved to be military officers employed in the Customs services who had sought a temporary refuge in Hong-Kong; in only three cases was illicit opium found in their possession and that only in small quantities. Some documents found seemed to suggest that they had been at one time or other interested in opium. The firm appear to be connected with a prominent Chinese firm in Swatow, who have an extensive business with foreigners.

The Swatow Opium Monopoly is found masquerading under the name of the Head Bureau for the Suppression of Opium. The firm at times supplied them with Chinese opium, sometimes on consignment. The latter method the Bureau apparently preferred latterly. For opium not sent direct to the Bureau but for sale on the open market a fee was payable to the Bureau; it is not stated how much. During the period covered by the correspondence, the monopoly rights were put up to tender, and the firm's agent at Swatow asks for the firm's consent to apply to the new farm with a view to obtaining the sole rights for the sale of prepared opium over a whole district. The agent of the firm appears to be on very good terms with those in charge of the Bureau.

Conveyance of Opium. — It was proposed to charter a junk to convey opium from Yamchow direct to Hong-Kong. The agent in Hoihow points out that a steamer is much safer, and that a suitable steamer of about 1,000 tons could be chartered at \$4,000 or \$5,000 per month; that she could carry a certain amount of other cargo besides opium. He calculates that it would be possible to make over \$10,000 a month by the carriage of opium belonging to other people at the regulation charge of 15 cents per tael, while the firm's

own opium would be carried free of expense. He is very keen on this project and contemplates a special trip to Hong-Kong to arrange the scheme with his principals. The details of this scheme are interesting as showing the amount of illicit opium which was likely to be available for export to Hong-Kong and Swatow, and the belief that there was room for everyone in the opium market at present; he contemplated no inconvenience from flooding the market with the opium belonging to other dealers. It is to be hoped that the raid on the firm has prevented the consummation of this project.

General Summary. — The papers found show that a firm organised for dealing in opium finds no difficulty in quickly finding regular customers for opium in Hong-Kong and Swatow. All expenses of safely getting the contraband ashore in Hong-Kong are undertaken for an inclusive fee per tael. Another contractor at Hoihow ships it for a fixed fee per tael; members of the various crews convey it for a fixed fee per tael apparently also arranged by a contractor, who is probably connected with the firm and may be one of their employees who takes on the contract. A fee paid to the military official secures the necessary guard of soldiers while the opium is on its way down river from Yunnan to the sea-coast, where it is put on junks for Pakhoi or Hoihow; at Pakhoi, the payment of a stamp duty of 5 cents per tael allows it to pass on to Hoihow; at Hoihow, some payments were made but it is hard to say exactly what these were; constant mention is made of passing Customs, out this cannot be the Maritime Customs, unless these entries are in the nature of a bribe, which, from their small amount, does not seem likely. All that can be said is that opium passing through that port regularly paid some dues to someone. In Swatow, suitable arrangements had to be made with the Opium Suppression Bureau. Either the Bureau bought the opium outright or accepted it on consignment on a commission basis, or gave permission for its sale on paying certain dues. In fact, nowhere in China was there the slightest difficulty provided the various dues were paid.

It is noteworthy, as proving the great demand that exists for cheap illicit opium, that a firm composed of natives of Swatow speaking a language not understood by the great majority of the population, and having few possible connections in the Colony, the number of such natives being comparatively few, could within a year have established such a connection that they could find purchasers for over 10,000 taels of raw opium a month, and this mostly in comparatively small quantities. In former cases which I have investigated this year, the sales were on a wholesale scale, but this firm would sell, if asked, quantities under 10 taels.

Supplies of Opium. — In the districts from which the firm draws its supplies the market seems to have been cleared of the old crop by June, and there was some delay in bringing forward the new crop, which stopped business for a few weeks. The agent in Hoihow assures his principals that supplies of the new crop are likely to be very abundant and of excellent quality and at a reasonable price. The amounts likely to be put on the market as soon as the new crop arrived are estimated at no less than 800,000 taels per month¹. There is constant reference to the arrival of big consignments in Yamehow, Pakhoi or Hoihow, such as 20,000 or 40,000 taels at once. At one time the firm sent an order to their agents in Hoihow for Bengal opium, and the reply comes that there is no Bengal to be obtained, and there is no possibility of filling the order.

(Signed) J. D. LLOYD,

Superintendent of Imports and Exports.

December 12th, 1923.

¹ Mr Lloyd reports, under date July 11th, 1924: "The new Yunnan crop is just reaching the Colony. The crop seems to have been very abundant and the price had dropped considerably even before the new crop came in; the price in Mengtze was 90 cents sub-coin per tael. The price is now below this and is about as low as it can go and still leaves the farmer enough to make it worth his while to grow the poppy."

Annex 8

C.O.P. 30 (1)

REPORT OF THE CHAIRMAN OF THE COMMITTEE APPOINTED AT THE SEVENTH MEETING OF THE CONFERENCE.

In accordance with the resolution adopted by the Conference at its seventh meeting, the Committee examined the matters mentioned by the British delegate at the fifth meeting of the Conference, viz.:

- (a) The actual rates of consumption of prepared opium in the different territories;
- (b) The different systems of control;
- (c) The question of smuggling.

I. — These statistics and information furnished to the Committee showed both similarities and divergences in the average rates of consumption between the various territories. The investigation into the reasons of the divergences in the rates of consumption in the different territories proved to be of an extremely intricate nature, as widely differing conditions, the influence of which in many cases could not be adequately estimated, had to be considered. The greatest difficulty confronting the Committee, in its efforts to find an estimate of average consumption, was caused by the fact that the contraband trade in the Far East (except Formosa) has reached such proportions as to make it impossible to take the figures of licit consumption as a reliable basis. For the same reason and also because the licensing system has not yet been generally adopted, it proved to be impossible to determine the number of smokers.

In view of these and other facts, the Committee unanimously adopted the following resolution:

“The Committee having examined the situation in the Far Eastern territories notes the unanimous opinion of the experts on the following points:

“(1) The contraband trade is considerable and in some cases is as large as or larger than the legitimate sale;

“(2) The number of smokers cannot at present be accurately determined¹.

“(3) The rate of consumption varies greatly both as between individual smokers in the same territory (in the proportion of 1 to 10 and even of 1 to 40 or 50) and, to a certain extent, as between different territories.”

In view of these facts, the Committee thought that no conclusive figures could be established at present regarding the rates of consumption in the different territories, but the Committee unanimously agreed on the extreme usefulness of an effort being made by the Governments to fill up the gaps in the existing information as to the numbers of smokers and submit the following recommendation:

“The Contracting Governments shall furnish all possible information at their disposal regarding the number of the opium-smokers.”

II. — The examination of the different systems of control led to the general conclusion that many points of divergence are the natural result of local conditions, which vary greatly. After making due allowance for these different conditions, the Committee nevertheless unanimously agreed that the establishment of a complete Government Monopoly (*i.e.*, the retention in the hands of the Government of the importation, manufacture, sale and distribution to the consumers) has by experience been proved to be the only effective way towards the control of consumption.

The Committee heard the experience of the countries which have tried the system of licensing and rationing. As a result of over twenty years' experience in Formosa, the

¹ The Japanese delegate, however, informs the Committee that in Formosa the local authorities know the exact number of smokers.

Japanese delegation declares that, in view of the special conditions existing in that island, the best method of bringing about gradual and complete suppression is to adopt a system of registering incurable victims of the habit and of rationing them daily.

Serious doubts were expressed by the Chairman and other members as to the possibility of enforcing such a system in great centres of population, where there are many smokers under present conditions, on the ground that an enormous increase of the illicit traffic was to be feared from any severe restrictive measures.

The Committee also considered the question of dross. Experience in the different territories (with the exception of Formosa, where the prices are exceptionally low) showed that the prohibition of the sale of dross provides a check. The Committee recognised, however, that fully satisfactory results cannot be expected from this measure, as its enforcement meets with great difficulties. Other measures which have been tried have been the prohibition of the "circulation" or transport of dross (Indo-China); the purchase of dross by the Government and the prohibition of the possession of more than a limited quantity of dross (Netherlands Indies, Malaya, Hong-Kong), and the prohibition of the possession of dross by anyone other than a registered smoker (Burma).

As to the price of prepared opium, it was found (again with the exception of Formosa) that the raising thereof had reduced consumption, so long as the illicit trade was not stimulated by too great an increase of price.

The Committee found that all administrations had endeavoured to prevent the use of opium by minors with a view to ensuring that the next generation shall be, as far as possible, free from the vice. Among the measures taken were mentioned: propaganda in the schools, prohibition of admission of minors into smoking divans, and prohibition of sale to or possession by minors.

III. — The smuggling question was exhaustively examined by the Committee. It was found that a suppression of smuggling was impossible so long as enormous quantities of raw opium were produced in other territories in which the lack of control allows the unhindered outflow of the contraband opium into most of the Far Eastern territories.

In the circumstances, the Committee had to limit itself to the consideration of measures for checking the illicit trade as far as possible. Mutual co-operation and direct exchange of information regarding the illicit traffic, seizures, etc., between the heads of the Opium Services in the different territories have been found to be of great value, and the Committee suggested that a recommendation might be made to the Governments concerned to instruct the heads of their respective services to co-operate in this manner, and, when it seems likely to be useful, to arrange for personal meetings.

Attention was also drawn to the fact that the export of raw and prepared opium is prohibited in certain of the territories.

The British delegate on the Committee proposed that the Committee should submit to the Conference for their consideration the following measures as to export, which are in force in the British Possessions:

1. The export of opium, whether raw or prepared, from the Far Eastern territories in which smoking is still authorised is prohibited; the importation of opium into those territories being strictly limited to the amount required for domestic consumption.

2. Opium which comes into the territorial waters of those territories, not for importation but in transit or on transhipment for another destination, is strictly limited and controlled.

The Japanese delegate, on his part, proposed to the Committee the following suggestions:

1. The export, import and transhipment of opium are forbidden.

2. Nevertheless, they shall be authorised when the opium is accompanied either by an import certificate duly issued by the competent authorities of one of the Contracting States or by an official document guaranteeing that the import is legitimate.

3. The authorities of the ports are under strict obligation to abstain from any measures which might constitute unfair discrimination on the ground of the nationality of the vessel or the origin of the goods.

The Committee discussed both these suggestions at length, but did not arrive at any definite conclusion.

The British delegation described a measure which had proved to be very useful in assisting the suppression of the operations of illicit-opium traders in the Far East. It has been made an offence in Hong-Kong for any person within the jurisdiction of the Government to take part by his agents, correspondents, etc., in any illicit-opium

transactions in places outside its jurisdiction or without the licence of the Government to take part in any opium transactions whatever, whether within or without its jurisdiction.

The Japanese delegate stated that the penal law of Japan contains a similar provision, but most of the other Powers have not yet provisions to the same effect in their laws. The Committee desires, however, to bring this point to the attention of the Conference.

The delegations of India, Portugal and Siam were consulted on the questions in which their Governments were especially interested.

Annex 9

C.O.P. 32.

DRAFT AGREEMENT SUBMITTED BY THE BRITISH DELEGATE.

The High Contracting Parties...

Having examined the present situation in regard to the application of Part II of the International Opium Convention concluded at The Hague on January 23rd, 1912, in their Possessions and Territories, including Leased or Protected Territories, in which the smoking of opium is temporarily continued :

Taking note of the fact that the great increase in the smuggling of opium in the Far East since the ratification by them of the Convention is hampering greatly the accomplishment of the gradual and effective suppression of the manufacture of, internal trade in, and use of, prepared opium as provided for in the Convention and is even rendering less effective some of the measures already taken for that end :

Being fully determined to bring about that suppression in accordance with the obligations undertaken by them under the Convention :

And being desirous of taking all possible steps for achieving that object at the earliest possible date :

Have agreed as follows :

1. The importation, manufacture and sale of opium, both raw and prepared, in the Possessions and Territories shall be a monopoly of the Government and shall be conducted solely by the monopoly. The right to import, manufacture, sell or trade in opium, whether raw or prepared, shall not be leased, accorded or delegated to any person whatever.

Persons employed by the monopoly in the sale of opium, whether raw or prepared, shall be paid by a fixed salary and not by a commission on sales.

2. The importation, manufacture or sale of, or trade in, opium, whether raw or prepared, by any persons other than the authorised employees of the monopoly shall be absolutely prohibited.

3. The foregoing provisions shall not prevent the retail sale to consumers by duly licensed agents of the monopoly :

(a) In any Possession or Territory, or in any district of any Possession or Territory, in which a system of licensing and rationing of smokers is in force;

(b) In districts where the maintenance of a shop by the monopoly would be difficult.

The supplies to and sales by such agents shall be supervised as closely as possible by the officers of the monopoly.

4. The export of opium, whether raw or prepared, from the Possessions or Territories shall be prohibited.

5. The Governments of the Possessions and Territories shall use their utmost efforts, by instruction in the schools, dissemination of suitable literature and otherwise, to discourage the practice of opium-smoking within their jurisdiction.

The Governments shall also limit the number of retail shops and, if smoking-divans are permitted, the number of divans to the smallest number compatible with administrative requirements and the reasonable convenience of the consumers.

6. The sale of any dross resulting from the smoking of opium, except to the monopoly, shall be absolutely prohibited.

7. No minor shall be permitted to enter any smoking divan.

8. The Government of each of the Possessions or Territories shall make it an offence for any person within their jurisdiction to engage in, procure or assist in any opium transaction in any place outside their jurisdiction which is contrary to the law of that place, or, without the licence of the Government, to engage in, procure or assist in any opium transaction whatever outside their jurisdiction.

9. The Governments will give facilities for direct interchange between the heads of their respective Opium Services of all information which may facilitate the suppression of illicit traffic in opium and the administration of the systems of official control.

10. The provisions of this Convention shall not apply to the importation or sale of such small quantities of raw opium as may be required for medical purposes by the Government or duly authorised medical practitioners or dentists, veterinary surgeons, or pharmaceutical chemists.

11. The Contracting Governments agree that they will jointly review from time to time, at such dates as may be mutually agreed, the position in regard to the application of Part II of the Convention in their respective Possessions or Territories.

Annex 10

C.O.P. 34.

DRAFT AGREEMENT SUBMITTED BY THE FRENCH DELEGATE.

The High Contracting Parties,

Considering, on the one hand, that it is desirable to continue the work which, by their adherence to the Convention concluded at The Hague on January 23rd, 1912, they have undertaken to complete by gradual stages, and desirous of checking the use of opium in their territories in the Far East by the most effective measures possible;

Taking into account, on the other hand, the different situations of the countries subject to their authority;

And being anxious to enter into international engagements which they can all observe without prejudice to any further measures which they may have the means of applying;

Have agreed upon the following provisions:

Article 1.

In countries where the use of opium is still permitted, an administrative department of the Government shall alone be competent to fix the supply and to distribute to consumers their necessary requirements in respect of opium; the system of contracts shall be prohibited.

Article 2.

Opium shall not be sold to consumers except in shops placed under the permanent supervision of an administrative department of the Government.

Article 3.

The number of such shops shall be no more than is necessary to meet the actual requirements of consumers.

Article 4.

The sale of opium to minors shall be forbidden.

Article 5.

The number of public opium-dens shall not be increased.

Article 6.

Europeans, women and minors shall be forbidden to enter public opium-dens.

Article 7.

The representatives of the authorities shall have access to opium-shops and public opium-dens at all hours of the day and night and may carry out on such premises any inspections, searches, etc., that they may consider necessary, without the assistance of a police officer.

Article 8.

The traffic in dross shall be prohibited.

Article 9.

The High Contracting Parties undertake to combat the opium habit by organising and supporting an active campaign of propaganda, particularly in schools, barracks and workers' associations; by setting up free public institutions for the treatment of opium addicts and by improving the material and moral position of the working classes.

Article 10.

They undertake to introduce increasingly severe legislative and administrative measures to suppress opium smuggling.

Article 11.

They undertake to assist the campaign against smuggling by the direct exchange of information and views between the heads of the Services concerned.

Article 12.

In view of the fact that opium smuggling is widespread and that it is at present impossible for the High Contracting Parties to determine the exact number of opium consumers, they undertake to furnish all information at their disposal with regard to this number.

TEMPORARY PROVISION.

In countries where the distribution of opium among consumers is not in the hands of an administrative department of the Government, the system in force shall, as an exceptional measure, be retained until the Governments concerned consider that local circumstances render its abolition possible.

Annex 11

C.O.P. 31.

ACTIVITIES OF THE NATIONAL ANTI-OPIUM ASSOCIATION AT SHANGHAI

Letter from the Chinese Delegation to the President of the Conference.

Geneva, November 11th, 1924.

I have the honour to inform you that I have received a cable message from the National Anti-Opium Association whose headquarters are in Shanghai. The message says that, according to the latest statistics, the activities of the Association have now been extended to all the twenty-four provinces. Three hundred thousand people of six hundred cities have pledged to work for the total suppression of opium. They are determined to cooperate with the Government in stamping out the narcotic evil. The Association endorses the statement of the delegation made on November 5th and expects that the Conferences will adopt measures limiting all narcotics to medicinal and scientific uses and make illicit traffic in all these drugs impossible.

As the foregoing message will be of interest to the delegations attending the Conference, may I request you to have it circulated ?

I may add that the National Anti-Opium Association was formed last August and includes among its members thirty odd public organisations, such as the National Association for the Advancement of Education, the Chinese National Red Cross Association, the General Chamber of Commerce, the Chinese Medical Association, the National Committee of the Y.M.C.A., the National Christian Council, the Kiangsu Provincial Educational Association, the National Y.W.C.A., the Vocational Educational Association, the National Roads Building Association, the World's Chinese Students' Federation, the Shanghai Press Association, the International Anti-Opium Association of Shanghai, the People's Diplomacy Association, the Chinese Christian Literature Association, the Shanghai Women's Temperance Union, the Shanghai District Chamber of Commerce, the Shanghai Christian Union, the Shanghai Publishers' Association, the Shanghai United Charity Association, etc.

(Signed) Sao-Ke Alfred SZE.

Annex 12

C.O.P. 46.

THE QUESTION OF THE EXPORTATION, IMPORTATION AND TRANSHIPMENT OF OPIUM.

Memorandum by the Japanese Delegation.

The Conference is aware that the Japanese delegation has accepted the various articles of the draft Agreement after making numerous concessions. We have consistently based our attitude on the principles of justice and humanity, but this has not prevented us from displaying the most conciliatory spirit. No great international achievement is possible without mutual understanding and mutual concessions. When our proposal regarding the exportation, importation and transshipment of opium came up for discussion, we found that it did not meet with unanimous approval. Nevertheless, it was strictly in conformity with the principles of equity and justice. Moreover, from the remarks of one of the honourable delegates we gained the impression that the whole system of certificates was in danger — a system which can only be rendered effective by complete mutual confidence between all Governments concerned; we strove, conscientiously, but in vain, to avert this peril.

The Japanese delegation is always ready to accept a compromise when it is the natural result of reciprocal concessions and mutual understanding. But if such a compromise runs counter to the fundamental principles of justice and equity, which are the very basis of the Covenant of the League, those who subscribe to it will incur the stigma of acting against the dictates of reason and humanity. I have therefore been obliged to state that the Japanese delegation is not prepared to sign an international agreement in which mutual confidence is replaced by mutual distrust. We have sent a detailed report to our Government, which, in reply, has enjoined us not to depart from the firm and just attitude we have adopted in strict conformity with our instructions. I sincerely hope that the Conference will be able to accept our proposal, since we cannot abandon the principles of justice and equity on which our attitude towards this question is based and which must exercise a decisive influence on its solution.

From accounts of proceedings and from conversations outside the Conference, we have gathered that some misunderstanding has arisen, owing to the terms in which our proposal was couched. In order to avoid this difficulty, we beg to submit a new draft, which will, we hope, dissipate any misapprehension that may still exist on the subject :

- “1. The exportation, importation and transshipment of opium are prohibited.
- “2. Exportation and importation shall be permitted when the goods are accompanied by a separate certificate of importation.
- “3. Transshipment shall be allowed when the goods are further accompanied by a through bill of lading.
- “4. The port authorities, after verifying the authenticity of these documents, shall abstain from all vexatious measures which might constitute an unjust discrimination based on the nationality of the vessels or the origin of the goods.”

EXPLANATORY NOTE.

I.

1. Certificates are only to be delivered for purposes of legitimate consumption. Any Government illegally delivering a certificate would thereby be violating the solemn international engagement constituted by the strict obligations of Article 1 of the Covenant of the League, to say nothing of that good faith which is the fundamental principle of international law. The other contracting countries would then be entitled to take all suitable measures to put an end to such a state of affairs, and to obtain due reparation.

2. In cases in which false certificates are produced, all the ordinary rules in respect of offences of this kind may naturally be applied. All that the competent authorities of the countries concerned need do is to set in motion the usual judicial and penal procedure to punish the offence which has been committed.

3. It is recognised that exceptional circumstances may legitimately be met by the application of exceptional counter-measures of a suitable kind.

II.

In the draft Agreement we only considered normal conditions to which the general rules of international trade must as far as possible be applied. In these circumstances, the Contracting States must clearly place entire confidence in each other's honesty as regards the delivery of certificates. There would indeed be no point in setting up a system of certificates the validity of which might at any moment be called in question, thus leading

to disputes which would be absolutely fatal to all international co-operation. We should consequently agree to accept the following rules :

(a) If trade is carried out according to the prescribed regulations, and if goods are accompanied by certificates regularly issued by the competent authorities, they must not be subjected to needless hindrance in the form of protracted and vexatious investigations.

(b) When the goods are further accompanied by a through bill of lading, clearly indicating the ports of origin and destination, the formalities attending transshipment in an intermediary port should be reduced to a minimum. The port authorities will investigate the authenticity of the certificates and see that the through bills of lading are in order. If these documents are found correct, transshipment should be allowed to given all facilities, and without vexatious intervention on the part of the port authorities. All vexatious measures having a character of unjust discrimination on account of the vessel's nationality or the origin of the goods must be entirely eliminated. Such measures would not only be unfriendly to the nation affected, but would be contrary to the fundamental principles of international law.

III.

These proposals call for little comment. They are based on the moral requirements indispensable to a true international agreement, namely, mutual confidence, reciprocal respect and good faith on the part of the Contracting States. They are founded on the solid and rational system of licences, on which the whole edifice of the international agreement rests. They only protect legitimate and beneficial activities, and they do so in the best interests of humanity and international concord.

Annex 13

DRAFT AGREEMENT.

C.O.P. 45 (1)

THE BRITISH EMPIRE (WITH INDIA), CHINA, FRANCE, JAPAN, THE NETHERLANDS, PORTUGAL AND SIAM,

Being fully determined to bring about the gradual and effective suppression of the manufacture of, internal trade in and use of prepared opium, as provided for in Chapter II of the International Opium Convention of January 23rd, 1912, in their Far Eastern possessions and territories, including leased or protected territories in which the use of prepared opium is temporarily authorised; and

Being desirous, on the grounds of humanity, of taking all possible steps for achieving that object at the earliest possible date;

Having decided to conclude an agreement supplementary to the said International Convention;

Having nominated for this purpose as their Plenipotentiaries :

His Majesty the King of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, Emperor of India :

And for India :

The President of the Chinese Republic :

The President of the French Republic :

His Majesty the Emperor of Japan :

Her Majesty the Queen of The Netherlands :

The President of the Portuguese Republic :

His Majesty the King of Siam :

Who, having examined the present situation in regard to the application of Chapter II of the said International Opium Convention in the above-mentioned Far Eastern possession and territories; and

Who, taking note of the fact that the increase of the smuggling of opium in the Far East since the ratification of the Convention is hampering greatly the accomplishment of the gradual and effective suppression of the manufacture of, internal trade in, and use of prepared opium, as provided for in the Convention, and is even rendering less effective some of the measures already taken for that end, and

Taking into account the different situations of the several countries;

Having deposited their full powers, found in good and due form;

Have agreed as follows :

Article I.

1. Except as provided with regard to retail sale, the importation, sale and distribution of opium shall be a monopoly of the Government, and the right to import, sell or distribute opium shall not be leased, accorded or delegated to any persons whatever.

2. The making of prepared opium for sale shall also be made a monopoly of the Government as soon as circumstances permit.

3 (a). The system of employing persons paid by a fixed salary and not by a commission on sales for the retail sale and distribution of opium shall be applied experimentally in those districts where an effective supervision can be exercised by the administrative authorities.

(b) Elsewhere the retail sale and distribution of opium shall be conducted only by persons licensed by the Government.

Paragraph (a) need not be applied if a system of licensing and rationing of smokers is in force which affords equivalent guarantees.

Article II.

The sale of opium to minors shall be prohibited.

Article III.

No minors shall be permitted to enter any opium divan.

Article IV.

The Contracting Powers shall limit as much as possible the number of retail shops and where smoking divans are permitted, the number of divans.

Article V.

The purchase and sale of "dross", except when the "dross" is sold to the monopoly" is prohibited.

Article VI.

(Article on prohibition of export : not yet settled.)

Article VII.

The Contracting Powers shall use their utmost efforts, by suitable instruction in the schools, dissemination of literature and otherwise, to discourage the use of prepared opium within their respective territories, except where a Government considers such measures to be undesirable under the conditions existing in its territory.

Article VIII.

The Contracting Powers undertake to assist one another in their efforts to suppress the illicit traffic by the direct exchange of information and views between the heads of the Services concerned.

Article IX.

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.

Article X.

The Contracting Powers will furnish all information which they can obtain with regard to the number of opium-smokers.

Article XI.

The provisions of this Agreement shall not apply to opium destined solely for medical and scientific purposes.

Article XII.

The Contracting Powers agree that they will jointly review from time to time, at such dates as may be mutually agreed, the position in regard to the application of Chapter II of the Hague Convention of January 23rd, 1912. The first meeting shall take place at latest in 1929.

Article XIII.

The present Agreement applies only to the Far Eastern possessions or territories of the Contracting Powers, including leased or protected territories, in which the use of prepared opium is temporarily authorised.

At the moment of ratification, any Contracting Power may declare that its acceptance of the Agreement does not include any territory over which it exercises only a protectorate; and may accede subsequently in respect of any protectorate thus excluded by means of a notification of accession deposited with the Secretary-General of the League of Nations, who shall forthwith notify the accession to all the other Contracting Powers.

Article XIV.

The present Agreement, of which the French and English texts are both authentic shall be ratified.

The deposit of ratifications shall be made at the Secretariat of the League of Nations as soon as possible.

The Agreement shall not come into force until it has been ratified by two Powers. The date of its coming into force shall be the ninetieth day after the receipt by the Secretary-General of the League of Nations of the second ratification. Thereafter the agreement shall take effect for each Contracting Power ninety days after the receipt of its ratification.

The Agreement shall be registered by the Secretary-General of the League of Nations upon the day of its coming into force.

Article XV.

If one of the Contracting Powers should wish to denounce the present Agreement, the denunciation shall be notified in writing to the Secretary-General of the League of Nations, who will immediately communicate a copy of the notification to all the other Powers, informing them of the date on which it was received.

The denunciation shall take effect only as regards the Power which notified it, and one year after the notification thereof has reached the Secretary-General.

In faith whereof the above-named Plenipotentiaries have signed the present Agreement.

Done at Geneva the day of nineteen hundred and twenty-four, in a single copy, which shall remain deposited in the archives of the Secretariat of the League of Nations, and of which authenticated copies shall be transmitted to all the Contracting Powers.

FINAL PROTOCOL OF THE CONFERENCE ON THE APPLICATION IN
THE FAR EAST OF CHAPTER II OF THE INTERNATIONAL
OPIUM CONVENTION OF JANUARY 23RD, 1912,
CONVENED AT GENEVA ON NOVEMBER 3RD, 1924.

The Conference convened by the Council of the League of Nations in accordance with the resolution adopted by the Assembly of the League on September 27th, 1923, met in the offices of the Secretariat of the League on November 3rd, 1924.

The Governments below enumerated took part in the Conference, for which they had appointed the following Plenipotentiaries :

- British Empire with India :*
- India :*
- China :*
- France :*
- Japan :*

The Netherlands :

Portugal :

Siam :

At a series of meetings held from November 3rd, 1924, to November.... 1924, the Conferences drew up the additional Agreement bearing this day's date, to which this Protocol is annexed.

The Conference further adopted the following resolution :

"It has been pointed out to the Conference that in some countries the system of licences (or registration) and rationing has been successful in diminishing the number of smokers.

"At the same time, the Conference has found that in other countries the contraband trade, which equals and even surpasses in extent the legitimate trade, renders the application of this system useless and in some cases dangerous.

"Accordingly, the Conference declares that the possibility of adopting these measures, or of maintaining them in those territories where they are now working successfully, depends principally upon the extent of the contraband trade.

"It therefore leaves to the Contracting Powers which have not yet applied this system the duty of selecting the moment when circumstances will allow of its adoption and of taking in the meantime all such preparatory measures as they may deem expedient."

In witness whereof the above-named Plenipotentiaries have signed the present Protocol.

Done at Geneva the day of nineteen hundred and twenty-four, in a single copy, which shall remain deposited in the Secretariat of the League of Nations and of which authenticated copies shall be transmitted to all the Powers represented at the Conference.

Annex 13 a.

C.O.P. 45 (2)

DRAFT AGREEMENT.

(As revised December 3rd, 1924).

THE BRITISH EMPIRE (WITH INDIA), CHINA, FRANCE, JAPAN, THE NETHERLANDS, PORTUGAL AND SIAM,

Being fully determined to bring about the gradual and effective suppression of the manufacture of internal trade in and use of prepared opium, as provided for in Chapter II of the International Opium Convention of January 23rd, 1912, in their Far Eastern possessions and territories, including leased or protected territories, in which the use of prepared opium is temporarily authorised; and

Being desirous, on the grounds of humanity and for the purpose of promoting the social and moral welfare of their peoples, of taking all possible steps for achieving the suppression of the use of opium for smoking with the least possible delay;

Having decided to conclude an agreement supplementary to the said international Convention;

Having nominated for this purpose as their Plenipotentiaries :

His Majesty the King of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, Emperor of India :

And for India :

The President of the Chinese Republic :

The President of the French Republic :

His Majesty the Emperor of Japan :

Her Majesty the Queen of the Netherlands :

The President of the Portuguese Republic :

His Majesty the King of Siam :

Who, having examined the present situation in regard to the application of Chapter II of the said International Opium Convention in the above-mentioned Far Eastern possessions and territories; and

Who, taking note of the fact that the increase of the smuggling of opium in the greater part of the territories in the Far East since the ratification of the Convention is hampering greatly the accomplishment of the gradual and effective suppression of the manufacture of, internal trade in, and use of prepared opium, as provided for in the Convention, and is even rendering less effective some of the measures already taken for that end; and

Taking into account the different situations of the several countries;

Having deposited their full powers, found in good and due form;

Have agreed as follows :

Article I.

1. Except as provided in paragraph 3 of this article with regard to retail sale, the importation, sale and distribution of opium shall be a monopoly of the Government, and the right to import, sell or distribute opium shall not be leased, accorded or delegated to any persons whatever.

2. The making of prepared opium for sale shall also be made a monopoly of the Government as soon as circumstances permit.

3 (a) The system of employing persons paid by a fixed salary and not by a commission on sales for the retail sale and distribution of opium shall be applied experimentally in those districts where an effective supervision can be exercised by the administrative authorities.

(b) Elsewhere the retail sale and distribution of opium shall be conducted only by persons licensed by the Government.

Paragraph (a) need not be applied if a system of licensing and rationing of smokers is in force which affords equivalent or more effective guarantees.

Article II.

The sale of opium to minors shall be prohibited.

Article III.

No minors shall be permitted to enter any smoking divan.

Article IV.

The Contracting Powers shall limit as much as possible the number of retail shops and, where smoking divans are permitted, the number of divans.

Article V.

The purchase and sale of "dross", except when the "dross" is sold to the monopoly, is prohibited.

Article VI.

1. The export of opium, whether raw or prepared, from any possession or territory into which opium is imported for the purpose of smoking shall be prohibited.

2. The transit through, or transshipment in, any such possession or territory of prepared opium shall be prohibited.

3. The transit through, or transshipment in, any such possession or territory of raw opium consigned to a destination outside the possession or territory shall also be prohibited unless an import certificate, issued by the Government of the importing country, which can be accepted as affording sufficient guarantees against the possibility of illegitimate use, is produced to the Government of the possession or territory.

Article VII.

The Contracting Powers shall use their utmost efforts, by suitable instruction in the schools, dissemination of literature and otherwise, to discourage the use of prepared opium within their respective territories, except where a Government considers such measures to be undesirable under the conditions existing in its territory.

Article VIII.

The Contracting Powers undertake to assist one another in their efforts to suppress the illicit traffic by the direct exchange of information and views between the heads of the Services concerned.

Article IX.

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.

Article X.

The Contracting Powers will furnish all information which they can obtain with regard to the number of opium-smokers. This information shall be transmitted to the Secretary-General of the League of Nations for publication.

Article XI.

The provisions of this Agreement shall not apply to opium destined solely for medical and scientific purposes.

Article XII.

The Contracting Powers agree that they will jointly review from time to time, at such dates as may be mutually agreed, the position in regard to the application of Chapter II of the Hague Convention of January 23rd, 1921, and of the present Agreement. The first meeting shall take place at latest in 1929.

Article XIII.

The present Agreement applies only to the Far Eastern possessions or territories of the Contracting Powers, including leased or protected territories, in which the use of prepared opium is temporarily authorised.

At the moment of ratification any Contracting Power may declare that its acceptance of the Agreement does not include any territory over which it exercises only a protectorate; and may accede subsequently in respect of any protectorate thus excluded by means of a notification of accession deposited with the Secretary-General of the League of Nations, who shall forthwith notify the accession to all the other Contracting Powers.

Article XIV.

The present Agreement, of which the French and English texts are both authentic, shall be subject to ratification.

The deposit of ratifications shall be made at the Secretariat of the League of Nations as soon as possible.

The Agreement shall not come into force until it has been ratified by two Powers. The date of its coming into force shall be the ninetieth day after the receipt by the Secretary-General of the League of Nations of the second ratification. Thereafter the Agreement shall take effect for each Contracting Power ninety days after the receipt of its ratification.

The Agreement shall be registered by the Secretary-General of the League of Nations upon the day of its coming into force.

Article XV.

If one of the Contracting Powers should wish to denounce the present Agreement, the denunciation shall be notified in writing to the Secretary-General of the League of Nations, who will immediately communicate a copy of the notification to all the other Powers, informing them of the date on which it was received.

The denunciation shall take effect only as regards the Power which notified it, and one year after the notification thereof has reached the Secretary-General.

In faith whereof the above-named Plenipotentiaries have signed the present Agreement.

Done at Geneva the day of the month of nineteen hundred and twenty-four, in a single copy, which shall remain deposited in the archives of the Secretariat of the League of Nations, and of which authenticated copies shall be transmitted to all the Contracting Powers.

FINAL PROTOCOL OF THE CONFERENCE ON THE APPLICATION
IN THE FAR EAST OF CHAPTER II OF THE INTERNATIONAL
OPIUM CONVENTION OF JANUARY 23RD, 1912,
CONVENED AT GENEVA ON NOVEMBER 3RD, 1924.

The Conference convened by the Council of the League of Nations in accordance with the resolution adopted by the Assembly of the League on September 27th, 1923, met in the offices of the Secretariat of the League on November 3rd, 1924.

The Governments below enumerated took part in the Conference, for which they had appointed the following Plenipotentiaries :

British Empire, with India :

India :

China :

France :

Japan :

The Netherlands :

Portugal :

Siam :

.

At a series of meetings held from November 3rd, 1924, to December... 1924, the Conference drew up the supplementary Agreement bearing this day's date, to which this Protocol is annexed.

The Conference, with the exception of the Chinese delegation, further adopted the following resolution :

“It has been pointed out to the Conference that in some countries the system of licences (or registration) and rationing has been successful in diminishing the number of smokers.

“At the same time, the Conference has found that in other countries the contraband trade, which equals and even surpasses in extent the legitimate trade, renders the application of this system difficult and, in the opinion of the Governments in question, useless and in some cases dangerous.

“Accordingly, the Conference declares that the possibility of adopting these measures, or of maintaining them in those territories where they are now working successfully, depends principally upon the extent of the contraband trade.

“It therefore leaves to the Contracting Powers which have not yet applied this system the duty of selecting the moment when circumstances will allow of its adoption and of taking in the meantime all such preparatory measures as they may deem expedient.”

In witness whereof the above-named Plenipotentiaries have signed the present Protocol.

Done at Geneva the day of nineteen hundred and twenty-four, in a single copy, which shall remain deposited in the Secretariat of the League of Nations and of which authenticated copies shall be transmitted to all the Powers represented at the Conference.

Annexe 13 b.

C. 82. M. 41. 1925, XI.
[C.O.P. 45 (1).]

ACCORD — PROTOCOLE — ACTE FINAL

signés à Genève, le 11 février 1925

ACCORD

L'EMPIRE BRITANNIQUE (AVEC L'INDE), LA CHINE, LA FRANCE, LE JAPON, LES PAYS-BAS, LE PORTUGAL ET LE SIAM,

Ferme résolu à effectuer la suppression graduelle et efficace de la fabrication, du commerce intérieur et de l'usage de l'opium préparé, telle qu'elle est prévue au Chapitre II de la Convention internationale de l'Opium, du 23 janvier 1912, dans leurs possessions et territoires d'Extrême-Orient, y compris les territoires cédés à bail ou protégés, dans lesquels l'usage de l'opium préparé est encore autorisé ; et

Désireux, pour des raisons d'humanité et en vue d'assurer le bien-être social et moral des peuples intéressés, de prendre toutes mesures utiles pour réaliser dans le délai le plus bref possible la suppression de l'usage de l'opium à fumer ;

Ayant décidé de conclure un Accord additionnel à ladite Convention internationale ;

Ont nommé à cet effet pour leurs plénipotentiaires :

Sa Majesté le Roi du Royaume-Uni de Grande-Bretagne et d'Irlande et des territoires britanniques au delà des mers, Empereur des Indes :

Sir Malcolm DELEVINGNE, K.C.B., Sous-Secrétaire d'Etat adjoint pour le Home Department,

Et pour l'Inde :

Mr. Harold CLAYTON, C.I.E. et membre du Service Civil de l'Inde,

Le Président de la République chinoise :

Le Président de la République française :

M. Ed. DALADIER, Ministre des Colonies,

Sa Majesté l'Empereur du Japon :

M. Sagataro KAKU, ancien Gouverneur civil du Gouvernement Général de Taïwan,
M. Yotaro SUGIMURA, Conseiller d'Ambassade, Chef adjoint du Bureau Impérial du Japon à la Société des Nations,

Sa Majesté la Reine des Pays-Bas :

M. W. G. van WETTUM, ancien Chef du Département de la Régie de l'Opium aux Indes Néerlandaises,

M. de KAT ANGELINO, Secrétaire pour les affaires de Chine au Gouvernement des Indes Néerlandaises,

Le Président de la République portugaise :

M. A. Bartholomeu FERREIRA, Envoyé extraordinaire et Ministre plénipotentiaire de la République Portugaise près le Conseil Fédéral Suisse,

M. Rodrigo RODRIGUES, Gouverneur de la Province de Macao,

Sa Majesté le Roi de Siam :

S. A. S. le Prince DAMRAS, Chargé d'affaires de Siam à La Haye,

Lesquels ayant examiné la situation actuelle au point de vue de l'application du Chapitre II de ladite Convention internationale de l'Opium, dans les possessions et territoires d'Extrême-Orient sus-mentionnés ; et

Prenant acte du fait que l'augmentation de la contrebande de l'opium dans la plus grande partie des territoires d'Extrême-Orient depuis la ratification de la Convention entrave, dans une mesure très sensible, la réalisation de la suppression graduelle et efficace de la fabrication, du commerce intérieur et de l'usage de l'opium préparé, telle qu'elle est prévue dans la Convention, et que cette augmentation rend même moins efficaces certaines des mesures déjà prises à cette fin ; et

Tenant compte de la situation différente des divers pays ;

Ayant déposé leurs pleins pouvoirs, reconnus en bonne et due forme, sont convenus des dispositions suivantes :

Article 1er.

1. Sauf en ce qui est prévu au paragraphe 3 du présent article pour la vente au détail, l'importation, la vente et la distribution de l'opium constitueront un monopole d'Etat et le droit d'importer, de vendre et de distribuer l'opium ne pourra être affermé, concédé ou délégué à quiconque ce soit.

Annex 13b.

C. 82. M. 41. 1925. XI.
[C. O. P. (1).]

AGREEMENT — PROTOCOL — FINAL ACT

signed at Geneva, February 11th, 1925

AGREEMENT

THE BRITISH EMPIRE (WITH INDIA), CHINA, FRANCE, JAPAN, THE NETHERLANDS, PORTUGAL AND SIAM,

Being fully determined to bring about the gradual and effective suppression of the manufacture of, internal trade in and use of prepared opium, as provided for in Chapter II of the International Opium Convention of January 23rd 1912, in their Far Eastern Possessions and Territories, including leased or protected territories, in which the use of prepared opium is temporarily authorised ; and

Being desirous, on the grounds of humanity and for the purpose of promoting the social and moral welfare of their peoples, of taking all possible steps for achieving the suppression of the use of opium for smoking with the least possible delay ;

Having decided to conclude an agreement supplementary to the said International Convention ;

Have nominated for this purpose as their plenipotentiaries :

His Majesty the King of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, Emperor of India :

Sir Malcolm DELEVINGNE, K.C.B., Assistant Under-Secretary of State for the Home Department,

And for India :

Mr. Harold CLAYTON, C.I.E., I.C.S.,

The President of the Chinese Republic :

The President of the French Republic :

Mr. Ed. DALADIER, Minister for the Colonies,

His Majesty the Emperor of Japan :

Mr. Sagataro KAKU, former Civil Governor of the General Government of Taiwan,

Mr. Yotaro SUGIMURA, Counsellor of Embassy, Assistant Head of the Imperial Japanese Bureau accredited to the League of Nations,

Her Majesty the Queen of the Netherlands :

Mr. W. G. van WETTUM, former Head of the Opium Régie Department in the Netherlands Indies,

Mr. de KAT ANGELINO, Secretary for Chinese Affairs to the Government of the Netherlands Indies,

The President of the Portuguese Republic :

Mr. A. Bartholomeu FERREIRA, Envoy Extraordinary and Minister Plenipotentiary of the Portuguese Republic to the Swiss Federal Council,

Mr. Rodrigo RODRIGUES, Governor of the Province of Macao,

His Majesty the King of Siam :

H.S.H. Prince DAMRAS, Siamese Chargé d'Affaires at The Hague,

Who, having examined the present situation in regard to the application of Chapter II of the said International Opium Convention in the above-mentioned Far Eastern possessions and territories ; and

Taking note of the fact that the increase of the smuggling of opium in the greater part of the territories in the Far East since the ratification of the Convention is hampering greatly the accomplishment of the gradual and effective suppression of the manufacture of, internal trade in, and use of prepared opium, as provided for in the Convention, and is even rendering less effective some of the measures already taken for that end ; and

Taking into account the different situations of the several countries,

Having deposited their full powers found in good and due form ;

Have agreed as follows :—

Article I

1. Except as provided in paragraph 3 of this article with regard to retail sale, the importation, sale and distribution of opium shall be a monopoly of the Government and the right to import, sell or distribute opium shall not be leased, accorded or delegated to any persons whatever.

2. La fabrication de l'opium préparé, destiné à la vente, devra également faire l'objet d'un monopole d'Etat, dès que les circonstances le permettront.

3. (a) Le Gouvernement devra mettre à l'essai, dans les régions où l'autorité administrative peut exercer une surveillance efficace, le système de la rétribution des personnes employées à la vente au détail et à la distribution de l'opium, au moyen d'un salaire fixe, et non d'une commission sur les ventes.

(b) Partout ailleurs, la vente au détail et la distribution de l'opium ne pourront se faire que par des personnes munies d'une licence du Gouvernement.

Le chiffre (a) ne s'applique pas lorsque le système des licences et du rationnement des consommateurs est en vigueur et donne des garanties équivalentes ou plus effectives.

Article II.

La vente de l'opium aux mineurs est interdite. Toutes les mesures possibles seront prises par les Puissances contractantes en vue d'empêcher la propagation parmi les mineurs de l'habitude de fumer l'opium.

Article III.

L'entrée des fumeries est interdite aux mineurs.

Article IV.

Les Puissances contractantes restreindront autant que possible le nombre des magasins de vente au détail, ainsi que celui des fumeries, dans les pays où elles sont autorisées.

Article V.

L'achat et la vente du « dross » sont interdits, excepté si le « dross » est vendu au monopole.

Article VI.

(1) Est interdite l'exportation de l'opium, soit brut, soit préparé, hors d'une Possession ou d'un Territoire, dans lesquels l'importation de l'opium destiné à être fumé est maintenue.

(2) Est interdit dans toute Possession ou Territoire de ce genre, le transit ou le transbordement de l'opium préparé.

(3) Sera également interdit, dans toute Possession ou Territoire de ce genre, le transit ou le transbordement de l'opium brut consigné à une destination se trouvant en dehors de la Possession ou du Territoire, à moins qu'un certificat d'importation, délivré par le Gouvernement du pays importateur et pouvant être accepté comme fournissant des garanties suffisantes contre la possibilité d'usage illicite, ne soit présenté au Gouvernement de la Possession ou du Territoire dont il s'agit.

Article VII.

Les Puissances contractantes feront tous leurs efforts pour combattre l'usage de l'opium préparé dans leurs territoires respectifs, par l'enseignement dans les écoles, par la distribution de brochures et par tous autres moyens, à moins qu'elles n'estiment ces mesures inopportunes, en raison de la situation spéciale de ces territoires.

Article VIII.

Les Puissances contractantes s'engagent à s'aider mutuellement dans leurs efforts pour arriver à la suppression de la contrebande par des échanges directs de renseignements et de vues entre les chefs des services intéressés.

Article IX.

Les Puissances contractantes examineront dans l'esprit le plus favorable la possibilité de prendre des mesures législatives pour pouvoir punir les transactions illégitimes dont les éléments constitutifs auront été accomplis, dans un pays étranger, par une personne résidant sur leurs territoires.

Article X.

Les Puissances contractantes fourniront tous les renseignements qu'elles pourront se procurer sur le nombre des fumeurs d'opium. Ces renseignements doivent être adressés au Secrétaire général de la Société des Nations, aux fins de publication.

Article XI.

Le présent Accord ne vise pas l'opium uniquement destiné aux besoins médicaux et scientifiques.

2. The making of prepared opium for sale shall also be made a monopoly of the Government as soon as circumstances permit.

3(a) The system of employing persons paid by a fixed salary and not by a commission on sales for the retail sale and distribution of opium shall be applied experimentally in those districts where an effective supervision can be exercised by the administrative authorities.

(b) Elsewhere the retail sale and distribution of opium shall be conducted only by persons licensed by the Government.

Paragraph (a) need not be applied if a system of licensing and rationing of smokers is in force which affords equivalent or more effective guarantees.

Article II

The sale of opium to minors shall be prohibited. All possible steps shall be taken by the Contracting Powers to prevent the spread of the habit of opium smoking among minors.

Article III

No minors shall be permitted to enter any smoking divan.

Article IV

The Contracting Powers shall limit as much as possible the number of retail shops and, where smoking divans are permitted, the number of divans.

Article V

The purchase and sale of "dross", except when the "dross" is sold to the monopoly, is prohibited.

Article VI

(1) The export of opium, whether raw or prepared, from any Possession or Territory into which opium is imported for the purpose of smoking shall be prohibited.

(2) The transit through, or trans-shipment in, any such Possession or Territory of prepared opium shall be prohibited.

(3) The transit through, or trans-shipment in, any such Possession or Territory of raw opium consigned to a destination outside the Possession or Territory shall also be prohibited unless an import certificate, issued by the Government of the importing country, which can be accepted as affording sufficient guarantees against the possibility of illegitimate use, is produced to the Government of the Possession or Territory.

Article VII

The Contracting Powers shall use their utmost efforts by suitable instruction in the schools, dissemination of literature and otherwise, to discourage the use of prepared opium within their respective territories, except where a Government considers such measures to be undesirable under the conditions existing in its territory.

Article VIII

The Contracting Powers undertake to assist one another in their efforts to suppress the illicit traffic by the direct exchange of information and views between the heads of the services concerned.

Article IX

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.

Article X

The Contracting Powers will furnish all information which they can obtain with regard to the number of opium smokers. This information shall be transmitted to the Secretary-General of the League of Nations for publication.

Article XI

The provisions of this agreement shall not apply to opium destined solely for medical and scientific purposes.

Article XII.

Les Puissances contractantes conviennent d'examiner périodiquement, à des dates qu'elles fixeront d'un commun accord, la situation en ce qui concerne l'application du Chapitre II de la Convention de La Haye du 23 janvier 1912 et du présent Accord. La première réunion aura lieu au plus tard en 1929.

Article XIII.

Le présent Accord ne s'applique qu'aux Possessions et Territoires d'Extrême-Orient des Puissances contractantes, y compris les territoires cédés à bail ou protégés, dans lesquels l'usage de l'opium préparé est temporairement autorisé.

Lors de la ratification, chaque Puissance contractante pourra déclarer que son adhésion à l'Accord ne s'étend pas à un territoire quelconque sur lequel elle n'exerce qu'un protectorat et elle pourra adhérer ultérieurement à l'Accord pour tout protectorat ainsi exclu, au moyen d'une notification d'adhésion déposée entre les mains du Secrétaire général de la Société des Nations, qui notifiera immédiatement ce dépôt à toutes les autres Puissances contractantes.

Article XIV.

Le présent Accord, dont les textes français et anglais font foi, sera sujet à ratification.

Le dépôt des ratifications sera effectué au Secrétariat de la Société des Nations le plus tôt qu'il sera possible.

L'Accord n'entrera en vigueur qu'après avoir été ratifié par deux Puissances. La date de son entrée en vigueur sera le 90^{ème} jour après la réception, par le Secrétaire général de la Société des Nations, de la deuxième ratification. Ultérieurement, le présent Accord prendra effet en ce qui concerne chacune des Puissances contractantes 90 jours après la réception de la ratification.

Le présent Accord sera enregistré par le Secrétaire général de la Société des Nations le jour de son entrée en vigueur.

Article XV.

S'il arrivait qu'une des Puissances contractantes voulût dénoncer le présent Accord, la dénonciation sera notifiée par écrit au Secrétaire général de la Société des Nations, qui communiquera immédiatement copie de la notification à toutes les autres Puissances, en leur faisant savoir la date à laquelle il l'a reçue.

La dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée et un an après que la notification en sera parvenue au Secrétaire général.

EN FOI DE QUOI les plénipotentiaires sus-nommés ont signé le présent Accord.

FAIT A GENÈVE, le onze février mil neuf cent vingt-cinq, en un seul exem-

plaire qui restera déposé dans les archives du Secrétariat de la Société des Nations et dont les expéditions authentiques seront remises à toutes les Puissances contractantes.

Suivent les signatures.

Article XII

The Contracting Powers agree that they will jointly review from time to time at such dates as may be mutually agreed, the position in regard to the application of Chapter II of the Hague Convention of January 23rd 1912, and of the present Agreement. The first meeting shall take place at latest in 1929.

Article XIII

The present Agreement applies only to the Far Eastern possessions or territories of the Contracting Powers, including leased or protected territories, in which the use of prepared opium is temporarily authorised.

At the moment of ratification any Contracting Power may declare that its acceptance of the Agreement does not include any territory over which it exercises only a protectorate; and may accede subsequently in respect of any protectorate thus excluded by means of a notification of accession deposited with the Secretary-General of the League of Nations who shall forthwith notify the accession to all the other Contracting Powers.

Article XIV

The present Agreement, of which the French and English texts are both authentic, shall be subject to ratification.

The deposit of ratification shall be made at the Secretariat of the League of Nations as soon as possible.

The Agreement shall not come into force until it has been ratified by two Powers. The date of its coming into force shall be the 90th day after the receipt by the Secretary-General of the League of Nations of the second ratification. Thereafter the Agreement shall take effect for each Contracting Power 90 days after the receipt of its ratification.

The Agreement shall be registered by the Secretary-General of the League of Nations upon the day of its coming into force.

Article XV

If one of the Contracting Powers should wish to denounce the present Agreement, the denunciation shall be notified in writing to the Secretary-General of the League of Nations who will immediately communicate a copy of the notification to all the other Powers informing them of the date on which it was received.

The denunciation shall take effect only as regards the Power which notified it, and one year after the notification thereof has reached the Secretary-General.

IN FAITH WHEREOF the above-named plenipotentiaries have signed the present Agreement.

DONE AT GENEVA, the eleventh day of February of nineteen hundred and twenty

five, in a single copy which shall remain deposited in the archives of the Secretariat of the League of Nations, and of which authenticated copies shall be transmitted to all the Contracting Powers.

Signatures follow here.

PROTOCOLE

Les représentants soussignés des Etats signataires de l'Accord relatif à l'usage de l'opium préparé, signé aujourd'hui, dûment autorisés à cet effet,

Soucieux d'assurer l'exécution complète et définitive des obligations et de renforcer les engagements qu'ils ont contractés en vertu des stipulations de l'article VI de la Convention de La Haye de 1912,

Prenant acte de ce que la Deuxième Conférence de l'Opium a décidé d'adopter un Protocole par lequel certaines puissances devront établir dans un délai maximum de cinq ans un contrôle efficace sur la production, la distribution et l'exportation de l'opium brut, de manière à empêcher le commerce illicite ;

Conviennent par les présentes des dispositions suivantes :

Article I.

Les Etats signataires du présent Protocole reconnaissent que les dispositions de l'Accord signé aujourd'hui renforcent l'obligation contractée par les Etats signataires aux termes de l'article VI de la Convention de La Haye de 1912 et sont destinées à faciliter l'exécution de cette obligation qui continue à garder toute sa force et son plein effet.

Article II.

Dès que les pays qui cultivent le pavot auront assuré l'exécution effective des dispositions nécessaires pour empêcher que l'exportation de l'opium brut hors des territoires soumis à leur autorité ne constitue un obstacle sérieux à la réduction de la consommation dans les pays où l'usage de l'opium préparé reste temporairement autorisé, les Etats signataires du présent protocole renforceront les mesures qu'ils ont déjà prises conformément à l'article VI de la Convention de La Haye de 1912 et, s'il est nécessaire, en prendront de nouvelles pour réduire la consommation de l'opium préparé dans les territoires soumis à leur autorité, de manière que cet usage soit complètement supprimé dans un délai maximum de quinze ans à dater de la décision visée à l'article suivant.

Article III.

Une commission nommée à cet effet par le Conseil de la Société des Nations sera chargée, le moment venu, de constater l'exécution effective des dispositions que doivent prendre les pays producteurs et qui sont visées à l'article précédent dans la mesure prévue audit article. La décision de cette commission sera sans appel.

Article IV.

Au cas où à un moment quelconque de la période de quinze ans prévue à l'article II l'un des Etats signataires du présent protocole apprendrait que les dispositions à prendre par les pays producteurs visées audit article auraient cessé de recevoir une exécution effective, cet Etat aurait le droit de signaler les faits au Conseil de la Société des Nations ; si le Conseil, soit par un rapport d'une Commission nommée par lui pour se prononcer après enquête sur les faits signalés, soit par toutes autres informations dont il pourra disposer, reconnaît que les faits signalés sont exacts, les Etats intéressés auront le droit de dénoncer le présent Protocole. En ce cas, une conférence des Etats intéressés se réunira immédiatement, afin d'examiner les mesures à prendre.

Article V.

Dans l'année qui précédera l'expiration du délai de quinze ans prévu à l'article II, les Etats signataires du présent protocole, réunis en Conférence spéciale, examineront les mesures à prendre à l'égard des intoxiqués invétérés dont l'état pathologique aura été constaté par les autorités médicales du pays intéressé.

Article VI.

Les Etats signataires du présent protocole coordonneront leurs efforts pour arriver à la suppression complète et définitive de l'usage de l'opium préparé. Afin d'atteindre ce but dans le plus bref délai possible, les mêmes Etats reconnaissant les difficultés que certaines Puissances peuvent rencontrer dans les circonstances actuelles pour assurer un contrôle efficace de la production, de la distribution et de l'exportation de l'opium brut, font un pressant appel aux pays qui cultivent le pavot, afin d'établir entre tous les Etats intéressés une collaboration confiante et active qui permettra de mettre fin au trafic illicite.

PROTOCOL

The undersigned representatives of the States signatory to the Agreement relating to the use of prepared opium signed this day, duly authorised to that effect ;

Anxious to ensure the complete and final execution of the obligations, and to strengthen the undertakings assumed by them under Article VI of the Hague Convention of 1912 ;

Taking note of the fact that the Second Opium Conference has decided to adopt a Protocol by which certain Powers are to establish within five years at latest an effective control over the production, distribution and export of raw opium, so as to prevent illicit traffic ;

Hereby agree as follows :

Article I.

The States signatories of the present Protocol recognise that the provisions of the Agreement signed this day are supplementary to, and designed to facilitate the execution of the obligation assumed by the signatory States under Article VI of the Hague Convention of 1912, which obligation remains in full force and effect.

Article II.

As soon as the poppy-growing countries have ensured the effective execution of the necessary measures to prevent the exportation of raw opium from their territories from constituting a serious obstacle to the reduction of consumption in the countries where the use of prepared opium is temporarily authorised, the States signatories of the present Protocol will strengthen the measures already taken in accordance with Article VI of the Hague Convention of 1912, and will take any further measures which may be necessary, in order to reduce consumption of prepared opium in the territories under their authority, so that such use may be completely suppressed within a period of not more than fifteen years from the date of the decision referred to in the following Article.

Article III.

A Commission to be appointed at the proper time by the Council of the League of Nations shall decide when the effective execution of the measures, mentioned in the preceding Article, to be taken by the poppy-growing countries has reached the stage referred to in that Article. The decision of the Commission shall be final.

Article IV.

In the event of any of the States signatories of the present Protocol finding, at any time during the period of fifteen years referred to in Article II, that the measures to be taken by the poppy-growing countries, referred to in the said Article, are no longer being effectively executed, such State shall have the right to bring the matter to the notice of the Council of the League of Nations. If the Council, whether by the report of a Commission appointed by it to investigate and report upon the facts, or by any other information at its disposal is satisfied that the facts are as stated, the States concerned will be entitled to denounce the present Protocol. In that case a Conference of the States concerned shall at once be held to consider the action to be taken.

Article V.

During the year preceding the end of the period of fifteen years referred to in Article II, a special Conference of the States signatories of the present Protocol shall be held to consider the measures to be taken in regard to habitual addicts whose pathological condition is certified by the medical authorities of the country concerned.

Article VI.

The States signatories of the present Protocol will co-ordinate their efforts to effect the complete and final suppression of the use of prepared opium. In order to attain this object as soon as possible the said States, recognising the difficulties at present experienced by certain Powers in establishing an effective control over the production, distribution and exportation of raw opium, make a pressing appeal to the poppy-growing countries for the establishment between all the States concerned of a sincere and energetic collaboration which will lead to the termination of the illicit traffic.

Article VII.

Le présent protocole entrera en vigueur pour chacun des Etats signataires en même temps que l'Accord relatif à l'usage de l'opium préparé signé à la date d'aujourd'hui.

Article VIII.

Tout Etat représenté à la Conférence où a été élaboré le présent protocole peut y adhérer à tout moment après sa mise en vigueur.

Fait à Genève, le onze février mil neuf cent vingt-cinq.

Suivent les signatures.

Article VII.

The present Protocol shall come into force for each of the signatory States at the same time as the Agreement relating to the use of prepared opium signed this day.

Article VIII.

Any State represented at the Conference at which the present Protocol was drawn up may accede to it at any time after its coming into force.

Done at Geneva, the eleventh day of February, one thousand nine hundred and twenty-five.

Signatures follow here.

ACTE FINAL

DE LA CONFÉRENCE SUR L'APPLICATION A L'EXTRÊME-ORIENT DU CHAPITRE II DE LA CONVENTION INTERNATIONALE DE L'OPIUM DU 23 JANVIER 1912, RÉUNIE A GENÈVE LE 3 NOVEMBRE 1924.

La Conférence convoquée par le Conseil de la Société des Nations, conformément à la Résolution adoptée par l'Assemblée de la Société le 27 septembre 1923, s'est réunie au Secrétariat de la Société des Nations le 3 novembre 1924.

Les Gouvernements dont l'énumération suit ont pris part à la Conférence pour laquelle ils avaient désigné les plénipotentiaires ci-après :

EMPIRE BRITANNIQUE AVEC L'INDE :

Sir Malcolm DELEIVINGNE, K.C.B., Sous-Secrétaire d'Etat adjoint pour le Home Department,

INDE :

M. John CAMPBELL, C.S.I., O.B.E., ancien Membre du Service Civil de l'Inde,
M. Harold CLAYTON, C.I.E., et Membre du Service Civil de l'Inde,

CHINE :

Son Excellence M. Sao Ke Alfred SZE, Ambassadeur, Envoyé extraordinaire et Ministre plénipotentiaire aux Etats-Unis d'Amérique,

Son Excellence M. WANG Kouang Ky, Envoyé extraordinaire et Ministre plénipotentiaire près Sa Majesté la Reine des Pays-Bas,

Son Excellence M. Chao-Hsin CHU, Ministre plénipotentiaire, Chargé d'affaires à Londres,

FRANCE :

Son Excellence M. Ed. DALADIER, Ministre des Colonies,

JAPON :

M. Sagataro KAKU, ancien Gouverneur civil du Gouvernement Général de Taïwan,

M. Yotaro SUGIMURA, Conseiller d'Ambassade, Chef-adjoint du Bureau Impérial du Japon à la Société des Nations,

PAYS-BAS :

M. W. G. van WETTUM, ancien Chef du Département de la Régie de l'Opium aux Indes Néerlandaises,

M. de KAT ANGELINO, Secrétaire pour les affaires de Chine au Gouvernement des Indes Néerlandaises,

PORTUGAL :

Son Excellence M. A. Bartholomeu FERREIRA, Envoyé extraordinaire et Ministre plénipotentiaire de la République Portugaise près le Conseil Fédéral Suisse,

M. Rodrigo RODRIGUES, Gouverneur de la Province de Macao,

SIAM :

Son Altesse Sérénissime le Prince DAMRAS, Chargé d'affaires de Siam à La Haye,

FINAL ACT

OF THE CONFERENCE ON THE APPLICATION IN THE FAR EAST OF
CHAPTER II OF THE INTERNATIONAL OPIUM CONVENTION
OF JANUARY 23RD, 1912, CONVENED AT GENEVA ON NOVEMBER 3RD, 1924.

The Conference convened by the Council of the League of Nations in accordance with the Resolution adopted by the Assembly of the League on September 27th, 1923, met in the offices of the Secretariat of the League on November 3rd, 1924.

The Governments below enumerated took part in the Conference, for which they had appointed the following plenipotentiaries :

BRITISH EMPIRE WITH INDIA :

Sir Malcolm DELEVINGNE, K.C.B., Assistant Under-Secretary of State for the Home Department,

INDIA :

Mr. John CAMPBELL, C.S.I., O.B.E., I.C.S. (retired),

Mr. Harold CLAYTON, C.I.E., I.C.S.,

CHINA :

His Excellency Mr. Sao Ke Alfred SZE, Ambassador, Envoy Extraordinary and Minister Plenipotentiary to the United States of America,

His Excellency Mr. WANG Kouang Ky, Envoy Extraordinary and Minister Plenipotentiary to Her Majesty the Queen of the Netherlands,

His Excellency Mr. Chao-Hsin CHU, Minister Plenipotentiary, Chargé d'Affaires in London,

FRANCE :

His Excellency Mr. Ed. DALADIER, Minister for the Colonies,

JAPAN :

Mr. Sagataro KAKU, former Civil Governor of the General Government of Taiwan,

Mr. Yotaro SUGIMURA, Counsellor of Embassy, Assistant Head of the Imperial Japanese Bureau accredited to the League of Nations,

THE NETHERLANDS :

Mr. W. G. van WETTUM, former Head of the Opium Régie Department in the Netherlands Indies,

Mr. de KAT ANGELINO, Secretary for Chinese Affairs to the Government of the Netherlands Indies,

PORTUGAL :

His Excellency Mr. A. Bartholomeu FERREIRA, Envoy Extraordinary and Minister Plenipotentiary of the Portuguese Republic to the Swiss Federal Council,

Mr. Rodrigo RODRIGUES, Governor of the Province of Macao,

SIAM :

His Serene Highness Prince DAMRAS, Siamese Chargé d'Affaires at The Hague,

Dans une série de séances, la Conférence a arrêté le texte de l'Accord complémentaire et du Protocole portant la date de ce jour.

La Conférence, à l'exception de la Délégation chinoise, a en outre adopté la résolution suivante :

« Il a été signalé à la Conférence que, dans certains pays, le système des licences (ou de l'enregistrement) et du rationnement avait donné, en ce qui concerne la diminution du nombre des consommateurs d'opium, des résultats efficaces.

« Mais la Conférence a reconnu que dans d'autres pays, la contrebande qui égale et même dépasse le commerce licite, rend difficile l'application de ce système, et de l'avis des Gouvernements intéressés, rend même cette application inutile et parfois dangereuse.

« En conséquence, la Conférence déclare que la possibilité d'adopter ces mesures ou de les maintenir dans les territoires où elles donnent satisfaction, dépend principalement de l'extension de la contrebande.

« Elle laisse donc aux Puissances contractantes qui n'ont pas encore appliqué ce système, le soin de choisir l'époque où les circonstances permettront de l'adopter et de prendre, en attendant, toutes mesures préparatoires qu'elles jugeront convenables ».

Le Représentant de l'Empire Britannique a déclaré signer le Protocole en formulant la déclaration suivante :

« Je déclare que ma signature apposée au présent Protocole est soumise, en ce qui concerne les Protectorats Britanniques, aux conditions figurant à l'article XIII de l'Accord signé aujourd'hui ».

Le Représentant du Portugal, en signant l'Accord, a formulé les déclarations ci-après :

1) « Le Gouvernement portugais, tout en acceptant le principe du monopole, tel qu'il est formulé à l'article 1^{er}, ne s'engage en ce qui concerne la date à laquelle les mesures prévues au premier paragraphe entreront en vigueur, que sous réserve de la disposition du paragraphe 2 du même article.

2) Le Gouvernement portugais, étant lié par un contrat conforme aux dispositions de la Convention de La Haye de 1912, ne pourra mettre à exécution les stipulations du paragraphe 1 de l'article 6 du présent Accord, aussi longtemps que les obligations découlant de ce contrat persisteront. »

Le Représentant de Siam a déclaré signer l'Accord en formulant la déclaration suivante :

« La Délégation Siamoise a reçu pour instructions de signer l'Accord, réserve faite de l'article I, paragraphe 3 (a) relatif à la date à laquelle cette disposition entrera en vigueur, et réserve faite de l'article V. La raison de ces réserves a été expliquée par le Premier Délégué de Siam le 14 novembre 1924. Le Gouvernement Siamois espère mettre en vigueur le système d'enregistrement et de rationnement dans la période de trois ans; à la fin de cette période la réserve en ce qui concerne l'article I, paragraphe 3 (a) deviendra caduque ».

At a series of meetings, the Conference drew up the supplementary Agreement and the Protocol which bear this day's date.

The Conference, with the exception of the Chinese Delegation, further adopted the following Resolution :—

“It has been pointed out to the Conference that in some countries the system of licences (or registration) and rationing has been successful in diminishing the number of smokers.

“At the same time, the Conference has found that, in other countries, the contraband trade which equals and even surpasses in extent the legitimate trade, renders the application of this system difficult, and in the opinion of the Governments in question, useless and in some cases dangerous.

“Accordingly, the Conference declares that the possibility of adopting these measures or of maintaining them in those territories where they are now working successfully, depends principally upon the extent of the contraband trade.

“It therefore leaves to the Contracting Powers which have not yet applied this system the duty of selecting the moment when circumstances will allow of its adoption and of taking in the meantime all such preparatory measures as they may deem expedient”.

The Representative of the British Empire declared that he signed the Protocol subject to the following declaration :—

“I declare that my signature of this Protocol is subject, in respect of British Protectorates, to the conditions contained in Article XIII of the Agreement signed this day.”

The Representative of Portugal, on signing the Agreement, made the following declarations :—

1) “The Portuguese Government, while accepting the principle of a monopoly as formulated in Article I, does so, as regards the moment at which the measures provided for in the first paragraph thereof shall come into force, subject to the limitation contained in the second paragraph of the article.

2) “The Portuguese Government being bound by a contract consistent with the provisions of the Hague Convention of 1912, will not be able to put into operation the provisions of paragraph 1 of Article 6 of the present Agreement so long as its obligations under this contract are in force.”

The Representative of Siam declared that he signed the Agreement subject to the following declaration :—

“The Siamese Delegation is instructed to sign the Agreement under reservation of Article I, paragraph 3 (a) with regard to the time when this provision shall come into force and of Article V. The reason for these reservations has been stated by the First Delegate of Siam on the 14th November, 1924. The Siamese Government is hoping to put into force the system of registration and rationing within the period of three years. After that date, the reservation in regard to Article I, paragraph 3 (a) will fall to the ground.”

EN FOI DE QUOI les plénipotentiaires sus-nommés ont signé le présent Acte.

FAIT A GENÈVE, le onze février, mil neuf cent vingt-cinq, en un seul exemplaire qui restera déposé dans les archives du Secrétariat de la Société des Nations et dont des copies certifiées conformes seront transmises par ses soins à toutes les Puissances représentées à la Conférence.

IN WITNESS WHEREOF, the above-named plenipotentiaries have signed the present Act.

DONE AT GENEVA, the eleventh day of February, nineteen hundred and twenty-five, in a single copy which shall remain deposited in the Secretariat of the League of Nations and of which authenticated copies shall be transmitted to all the Powers represented at the Conference.

Suivent les signatures. — Signatures follow here.

Annex 14

C.O.P. 55.

WITHDRAWAL OF THE CHINESE DELEGATION FROM THE FIRST OPIUM CONFERENCE

Letter from the Chinese delegation to the President of the First Opium Conference.

Geneva, February 10th, 1925.

I have the honour to inform you that, for reasons given in the memorandum herein enclosed, the Chinese delegation is convinced that its further participation in the First Opium Conference will serve no useful purpose. May I ask that this memorandum be communicated to the Conference?

It is with profound regret that my delegation has felt itself constrained to take this position, but, in view of the failure of the Conference to arrive at any satisfactory agreement with regard to the measures to be taken for the suppression of the use of prepared opium, it has felt that no other course is open to it.

Permit me to avail myself of this opportunity, on behalf of my delegation, to assure you and the members of the Conference and the members of the Secretariat of the League of Nations of our appreciation of, and thanks for, the courtesies shown to us.

(Signed) Sao-Ke Alfred SZE.

MEMORANDUM SUBMITTED BY THE CHINESE DELEGATION MENTIONED IN THEIR LETTER OF FEBRUARY 10TH, 1925, TO THE PRESIDENT OF THE FIRST CONFERENCE.

By the Convention signed at The Hague in 1912, the High Contracting Parties obligated themselves (Article 6) to "take measures for the gradual and effective suppression of the manufacture of, internal trade in, and use of prepared opium", that is, of opium used for smoking. This obligation was, however, qualified by the provision that those Powers which were not then ready immediately to prohibit the export of prepared opium should do so as soon as possible, and that, until this prohibition is made absolute, the export should be restricted and controlled in certain specified ways.

It was the expectation of the world, and certainly that of the Chinese people, that the Powers signatory to the Hague Convention which continued to legalise the use of opium would take prompt and decisive steps to introduce systems of control which would, by their operation, necessarily bring the temporarily legalised smoking of opium to an end within a few years, or at the termination of a specified period. In fact, however, this was not the case, and, because this was not the result, this First Opium Conference was convened. In other words, the purpose of this Conference was that the Powers participating in it should come to some new agreement as to the action to be taken by them all in order to bring about that effective suppression of the temporarily legalised use of prepared opium to which the Powers had pledged themselves in the Hague Convention.

In Resolution 5 of the fourth Assembly of the League of Nations which provided for the convening of this Conference, it was declared that its purpose was to be "the conclusion of an agreement as to the measures for giving effective application in the Far Eastern territories to Part II of the (Hague) Convention and as to a reduction of the amount of raw opium to be imported for the purpose of smoking in those territories where it is temporarily continued".

No such effective action is made obligatory upon the Powers by the draft Agreement that has resulted from the labours of the Conference. Some few, but not important, unqualified obligations have been assumed by the Powers, as, for example, that the sale of opium to minors shall be prohibited; that minors shall not be allowed to enter smoking-divans; that "dross" may be sold only to the State monopoly, where one exists; and that the Powers shall exchange information and views with one another regarding the suppression of illicit traffic and the number of smokers.

All of the other undertakings of the Agreement, except the one providing for a review of the situation before the end of the year 1929, and Article VI later referred to, are so qualified as to render them in no sense imperative.

The obligation to make the manufacture of prepared opium a Government monopoly is qualified by the phrase "as soon as circumstances permit"; the obligation to pay retail sellers of opium fixed salaries and without commission on sales is to be applied "experimentally in those districts where an effective supervision can be exercised by the administrative authorities", each Power having, of course, the right to determine for itself when this condition exists. Retail shops for the sale of opium and divans for the smoking of

opium are to be limited in number "as much as possible"; there is not even an obligation not to increase the number of retail shops and smoking-dens now existing. Educational and other efforts to discourage the use of prepared opium are to be exerted by only those Governments which consider such measures desirable under the conditions existing in their several territories. With regard to legislative measures for rendering punishable illegitimate transactions which are carried out in another country by persons residing within their own territories, the Contracting Parties obligate themselves to do nothing more than examine the possibility of such legislation in a most favourable spirit.

The foregoing undertakings furnish the substance of the draft Agreement that has been agreed upon with the exception of Article VI, which prohibits the exportation of raw or prepared opium from the territories in which opium is imported for purposes of smoking, the transit through and transshipment of prepared opium in such territories, and regulates the transit through and transshipment of raw opium in those same territories.

The Chinese delegation is aware of the practical difficulties that have confronted the Powers concerned in taking effective measures for the suppression of the use of prepared opium, but it is convinced that these difficulties are by no means insurmountable. Therefore, the Chinese delegation is of the opinion that the time has come for these Powers to declare, in definite terms, either that legalised traffic in prepared opium within their several territories or possessions will be brought to an end within a fixed and reasonable period of time, or that they will at once establish and operate, to the extent of their administrative and executive power, systems of regulation and control which will necessarily bring about a yearly and progressive diminution in the amount of prepared opium legally used, and of the number of persons permitted by law to purchase and consume this opium—a diminution that will proceed at a rate that will bring to an end, within a reasonably brief period of time, this pernicious traffic.

The Chinese delegation has noted the repeated declarations of several of the representatives of the Governments concerned that their opium policies have not been and will not be influenced by financial considerations. The delegation is, however, constrained to say that, however this may be, the fact remains that these Governments do obtain large public revenues from the traffic, and thus furnish occasion for statements like that of Sir John Jordan when, in the Opium Advisory Committee, at one of the meetings of its Fifth Session, he said that, so long as colonies are deriving fifty per cent of their whole revenue from the opium traffic, it is absurd to say that financial considerations do not play a part.

In addition, there is also the fact, stressed by certain of the Colonial officials, that the circumstance should not be ignored that an adequate supply of Chinese labourers in their countries is of great economic importance, and, therefore, that the Governments concerned should hesitate to impose restrictions upon the use of prepared opium which may operate to interfere with this labour supply. Thus, in the memorandum published by the Court of Directors of the British North Borneo Company in October 1923, embodying their views upon the measures suggested by the League of Nations Advisory Committee on Traffic in Opium, it is said, with reference to the possible introduction of a system of registration and licensing (p. 4):

"A free inflow of Chinese labourers and settlers is vital to the progress and development of North Borneo, and the Government would hesitate to introduce measures which, in the present state of Chinese feeling, must necessarily restrict immigration and have a disturbing effect on the resident Chinese population."

In the memorandum supplied by the Netherlands Government (C.O.P.19. O.C.124), it is said, with reference to the licence system:

"In some districts, it was necessary to deviate from the principle that, after the enforcement of the system, no licences should be issued.

"Vast regions, for example, namely, are largely dependent for their economic development on the supply of labour from elsewhere, frequently non-native workers (that is Chinese), and, should the use of opium be wholly prohibited, it would be impossible, or at least extremely difficult, to have labourers, so that the public welfare would suffer materially from such a measure."

That the Chinese labourers would suffer in the absence of such a control is not mentioned.

Again, in the report of the British Malaya Opium Committee, which has recently been published, there is this declaration (p. A 54) :

“We cannot avoid reflecting upon possible disturbances of the free influx of Chinese labour which might result from restrictions of this nature, unless this system were applied universally where the Chinese can earn a livelihood. Any check on a free flow of labour from China would have disastrous effects on the economic position of British Malaya, and these territories would be faced with a steadily dwindling revenue and steadily increasing expenditure, owing to costly preventive services and establishments required to make the system effective.”

And as to the revenue obtained in British India, there is the following conclusion stated in the report of the Indian Retrenchment Committee (the Inchcape Report), issued in 1923 (p. 226) :

“Having reviewed the expenditure under the opium head, we recommend that the possibilities of reducing the price paid to cultivators of opium be carefully watched with a view to reduction. We are informed that there will be a reduction of about Rs. 20 Lakhs in expenditure in 1923-24, and, in view of the importance of safeguarding this important source of revenue, we recommend no further reduction.”

The statements which have been quoted seem to indicate that considerations of a materialistic, even if not of a directly public financial, character play a part in the formation of the policies of those Governments which continue to legalise the use of prepared opium in their territories or possessions.

It was suggested by the Chinese delegations in this Conference that the public revenue derived from the opium traffic be applied to the prevention and cure of opium addiction, to the economic and moral betterment of the classes from which the consumers of opium are drawn, and to defraying the expenses of more drastic police and administrative measures for preventing that illicit traffic in opium which, it is claimed, now interfere with the efficient operation of measures for bringing about the suppression of the use of prepared opium. But this suggestion (with the exception of Japan in Formosa) the Powers have declined to adopt.

As to the Protocol that is annexed to the draft Agreement, the Chinese delegation does not deem it necessary to repeat what it said in the Conference at the time its adoption was discussed. It would, however, respectfully refer to the statement then made.

As to the draft of the Protocol contained in the proposals of the British delegation presented to the Joint Committee of Sixteen, and which, it is proposed, should be annexed to the Agreement to be adopted by this Conference, the Chinese delegation would say that it is unable to subscribe to the unqualified assertion contained in the Preamble that “the effective prohibition of the use of prepared opium in their Far Eastern territories is dependent on effective measures being taken by the producing countries to restrict the production of opium and prevent its illicit export”.

As the Chinese delegation has already said, it recognises that the existence of contraband trade in opium constitutes an impediment to the effective operation of measures for the total suppression of the legalised use of prepared opium, but it does not admit that this impediment is such as to prevent and excuse the Powers concerned from taking immediate steps to enforce measures that will, if allowed free play, lead, within a definite or reasonably brief period of time, to the total prohibition of the legalised smoking of opium. With such measures in existence, even though their operation be somewhat retarded by illicit trade, the Powers will be in a position to increase their efficiency in exact proportion as the retarding influences, of which contraband is but one, are lessened or wholly removed.

The Chinese delegation is further unable to give its approval to the substance of the declarations or undertakings contained in the proposed Protocol for the reason that, instead of providing for the taking of immediate steps leading to the total suppression within a definite or reasonably brief period of time of the legalised use of prepared opium, they postpone the initiation of such measures to an indefinite and contingent date.

In view of the foregoing, the Chinese delegation is constrained to say that it deems that no useful purpose will be served by its further participation in the work of the Conference. The Chinese delegation is, however, convinced that, in order successfully to cope with the problem of opium in all its phases, international co-operation is required. Whenever the Powers signatory to the Hague Convention of 1912 are prepared to conclude “an Agreement as to the measures for giving effective application in the Far Eastern territories to Part II of the (Hague) Convention and as to a reduction of the amount of raw opium to be imported for the purpose of smoking in those territories where it is temporarily continued,” they will find China not only ready but eager to co-operate to the full extent of her power. In the meantime, China will continue its policy of absolutely prohibiting the

production of opium and its use for other than medicinal and scientific purposes. The present conditions in China, which, unfortunately, make it impossible for the Government of China to secure an effective enforcement of this policy, are temporary in character. The Government of China gives the assurance that it will not depart from its policy with regard to opium, and that it will, at all times, exert all the executive and administrative power possessed by it to enforce that policy. This the Government of China will continue to do independently and without regard to the action of other Powers. It is the hope of the Government and the people of China that, reciprocally with their independent effort to suppress the production and control the use of opium within the borders of China, the other Powers will, upon their part, make every effort to prevent illegal traffic in opium and narcotic drugs, and progressively to suppress the legalised use of prepared opium.

Annex 15

C.O.P. 52. O.D.C. 102.

REPORT OF COMMITTEE OF SIXTEEN TO THE FIRST AND SECOND OPIUM CONFERENCES.

Explanatory Note.

February 6th, 1925.

The Committee of Sixteen has held four meetings. At the third meeting it appointed a Sub-Committee of five, which made the following report, to which the Committee of Sixteen has nothing to add.

SUB-COMMITTEE OF THE COMMITTEE OF SIXTEEN.

Report by the Representative of Finland (Rapporteur) to the Committee of Sixteen.

The Sub-Committee of Five held a meeting on Wednesday, February 4th, 1925, under the Chairmanship of M. Zahle. The following Government representatives were present :

British Empire :	Sir Malcolm DELEVINGNE.
	Viscount CECIL.
France :	M. DALADIER.
Finland :	M. TOIVOLA.
Japan :	M. SUGIMURA.
United States of America :	The Hon. Stephen PORTER.

The Sub-Committee met to consider the proposals of the United States of America concerning the gradual suppression of prepared opium in territories where its use is temporarily permitted under the terms of the Hague Convention of 1912.

In addition to the American proposals, the Sub-Committee had before it a proposal in the form of two draft protocols submitted by the British delegation, with the principles of which the French delegation stated that it was in agreement.

It was explained that the first draft protocol was to be signed by producing countries, though there was nothing to prevent other powers from signing it if they so desired ; while the second draft protocol was in the nature of an addition to the draft agreement prepared by the First Conference.

The Sub-Committee proceeded to discuss the British proposals, article by article, on the understanding that the question of principle involved was in no way prejudiced by such discussion. It reached the conclusion that nothing in the draft protocols submitted by the British delegation should be construed into diminishing the force of the provisions of the Hague Convention, but that they might be regarded as agreements for the final execution of certain of its provisions.

The question which was of chief concern to the Sub-Committee was the question of principle. The Sub-Committee found itself faced with two proposals which differed essentially. The first was to the effect that States with territories in which the use of prepared opium was temporarily permitted should undertake effectively to prohibit that use within a period of fifteen years, which should begin to run from a given date to be determined as the Conference thought fit. The other proposal was to the effect that that

period of fifteen years should begin to run only from the date on which the effective execution of the measures taken by the producing countries to limit and control the production and distribution of raw opium had reached such a stage that opium smuggling no longer constituted a serious obstacle to the carrying out in the consuming States of any measures necessary to bring about the abolition of the use of prepared opium.

In connection with this proposal, there were submitted to the Sub-Committee various proposals in regard to the manner in which the date for the beginning of the period of fifteen years should be fixed. It was suggested that the producing States should be allowed five years in which to control the production of opium and that the period of fifteen years should begin immediately at the end of that time if, at the end of those five years, an impartial committee should decide that such a control had been successfully achieved.

None of the suggestions brought forward met with unanimous approval. The Sub-Committee consequently, after considerable discussion, reluctantly decided that it was unable to find a compromise between the two opposing points of view, and accordingly it is compelled to report that, on the question of principle, it has been unable to arrive at a unanimous conclusion.

This negative result at which the Sub-Committee has arrived does not necessarily mean a breakdown in the efforts to carry out in a comparatively short time the total suppression of the use of prepared opium. On the contrary, the majority of the Sub-Committee is confident that the Governments concerned will not remain inactive. They could, and the Sub-Committee hopes that they will, find it possible to embody in a protocol a provision for a period of fifteen years in the course of which the obligation to abolish the use of prepared opium, assumed by the signatories of the Hague Convention, should be carried out. They will, the Sub-Committee hopes, find a satisfactory method of deciding when this period of fifteen years will begin to run. If the duty of taking this important decision be left to the League of Nations, of which the impartiality and authority cannot be doubted by anyone, the labours of the Conferences have not been in vain. Even if members of the Conferences were to leave Geneva without knowing exactly the date on which the final struggle against prepared opium will begin, they should nevertheless know that the League of Nations is bound at some date to declare to the general satisfaction of the world "the fifteen years are to begin to run now; there must be no further delay".

Annex 16

C.O.P. 53.

DRAFT PROTOCOL TO BE SIGNED SIMULTANEOUSLY WITH THE FIRST CONVENTION.

(Submitted by the French and British Delegations.)

The undersigned representatives of the States signatory to the Convention relating to the use of Prepared Opium signed this day, duly authorised to that effect ;

Anxious to ensure the complete and final execution of the obligations, and to strengthen the undertakings assumed by them under Article VI of the Hague Convention of 1912 ;

Taking note of the fact that the Second Opium Conference has decided to adopt a Protocol by which certain Powers are to establish within five years at latest an effective control over the production, distribution and export of raw opium, so as to prevent illicit traffic ;

Hereby agree as follows :

Article I.

The States signatories of the present Protocol recognise that the provisions of the Convention signed this day are supplementary to, and designed to facilitate the execution of, the obligation assumed by the signatory States under Article VI of the Hague Convention of 1912, which obligation remains in full force and effect.

Article II.

As soon as the poppy-growing countries have ensured the effective execution of the necessary measures to prevent the exportation of raw opium from their territories from constituting a serious obstacle to the reduction of consumption in the countries where the use of prepared opium is temporarily authorised, the States signatories of the present Protocol will progressively reduce the consumption of prepared opium in the territories

under their authority, so that such use may be completely suppressed within a period of not more than fifteen years from the date of the decision referred to in the following article.

Article III.

A Commission, to be appointed at the proper time by the Council of the League of Nations, shall decide when the effective execution of the measures mentioned in the preceding article has reached the stage referred to in that article. The decision of the Commission shall be final.

Article IV.

In the event of any of the States signatories of the present Protocol finding, at any time during the period of fifteen years referred to in Article 2, that the measures referred to in the said article are no longer being effectively executed, such State shall have the right to bring the matter to the notice of the Council of the League of Nations. If the Council, whether by the report of a Commission appointed by it to investigate and report upon the facts, or by any other information at its disposal, is satisfied that the facts are as stated, the States concerned will be entitled to denounce the present Protocol. In that case, a Conference of the States concerned shall at once be held to consider the action to be taken.

Article V.

During the year preceding the end of the period of fifteen years referred to in Article 2, a special Conference of the States signatories of the present Protocol shall be held to consider the measures to be taken in regard to habitual addicts whose pathological condition is certified by the medical authorities of the country concerned.

Article VI.

With a view to the co-ordination of the efforts made to effect the complete and final suppression of the use of prepared opium, the States signatories of the present Protocol declare their readiness to establish the closest collaboration, both between themselves and with the poppy-growing countries.

Article VII.

The present Protocol shall come into force for each of the signatory States at the same time as the Convention relating to the use of prepared opium signed this day.

Article VIII.

Any State represented at the Conference at which the present Protocol was drawn up may accede to it at any time after its coming into force.

Done at Geneva, the

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Geneva,
July 22nd, 1924.

LEAGUE OF NATIONS

FIRST OPIUM CONFERENCE

Part I

SUMMARY OF THE INFORMATION RECEIVED FROM
GOVERNMENTS WITH REGARD TO PREPARED OPIUM
IN THE EUROPEAN POSSESSIONS
AND COUNTRIES OF THE FAR EAST

British North Borneo.

Smokers are not registered, and with a population of some 208,000 inhabitants, British North Borneo is credited with a total consumption of 7,729 kilos during the year 1920.

In 1914, a Government monopoly for the purchase, preparation and sale of chandu (opium prepared for smoking) was established. The consumption of prepared opium has increased from an average of 6,600 kilos per annum in the years 1914 to 1916 to an average of 8,400 kilos per annum in the years 1918 to 1920, that is to say 27 per cent., while the Chinese male population has increased from 30,200 in 1915 to 37,600 in 1919, an increase of 21.3 only.

This increased consumption per head has taken place in spite of successive increases in the sale price.

The largest packet of prepared opium sold contains 5 hun (equivalent to one-twentieth of a tael) and costs 47½ cents, a price of \$9.50 per tael compared with \$12 in Straits Settlements and \$14.50 in Hong-Kong. Opium may be smoked in licensed houses or privately.

The Court Directors of the British North Borneo Company consider that the Chinese population, to which the consumption of opium is entirely confined, is in effect rationed at a very moderate rate.

Burma.

As far as prepared opium is concerned, the Report on the Administration of the Excise Department in Burma during the year ended March 31st, 1921, states that "at the end of the year under report, the preparation of opium in shops ceased and the simpler method of fixing fees, foreshadowed in the last report, was introduced for the current year". Hitherto the position was similar to that in India except that the sale of prepared opium in Upper Burma for other than medical purposes is absolutely forbidden, while in Lower Burma opium could only be sold to such Burmans as were registered as opium consumers. The number of registered consumers has been reduced from 12,000 in 1912 to 5,405 in 1920.

In the Report on the Administration of the Excise Department in Burma during the year ended March 31st, 1920, it was stated that "should it be decided to cease preparing opium in opium shops, a simpler method of fixing the fees payable by licensed vendors may be possible". This decision has not been definitely taken; it would therefore appear that the sale of prepared opium has ceased in Burma since March 31st, 1921. There appears to have been a systematic

reduction of smokers by the elimination of Burman smokers, and a systematic revision of the allowance of opium per consumer which tended to reduce issues and which fell 4,264 seers as compared with the issues for the years 1919-1920. The figure for the licit consumption per 100 of the population is less than one pound of opium per annum or an allowance per head of less than one-sixth of an ounce of opium.

The sales of Excise opium fell in 1921 to 37,946 kilos as against 41,924 kilos in the preceding year.

Ceylon.

A decrease in sales both of eating and of prepared opium occurred in 1921, sales of the former having decreased from 2,705 kilos (5,950 lbs) in the preceding year to 2,437 kilos (5,362 lbs) in 1921; whilst the sales of prepared opium fell from a total of 323 kilos (713 lbs.) in 1920 to 306 kilos (675 lbs.) in 1921. Decrease in consumption has followed upon the reduction of consumers through the death of a certain number of them, revision of the register of consumers and the reduction of the amount allowed to be purchased.

There is no export of prepared opium from Ceylon.

China.

There is no official data available of the clandestine manufacture, internal traffic in, and use of prepared opium in China, which is still forbidden by law

Formosa.

From the reply received from the Japanese Government relative to the quantities of prepared opium manufactured in Formosa, it seems that the quantities of prepared opium manufactured decreased from 106,206 kilos (233,654 lbs) in 1910 to 65,443 kilos (143,975 lbs) in 1920. It may be worth recording that the manufacture of crude morphia has increased correspondingly with the decrease in manufacture of prepared opium. It has risen from a nil recorded production in 1914 to some 3,644 kilos in 1920.

The consumption of prepared opium would appear to be limited and restricted to recognised opium addicts, new permits to smoke being refused.

There are regulations providing for the punishment of those who use prepared opium without permission. The actual amount consumed during 1920 was slightly in excess of the amount actually produced amounting to 66,517 kilos for a population of some 3,654,000 inhabitants or an average consumption of some 18.2 grammes *per capita*, whilst the number of consumers being 49,031 showed that the consumption amounted to 1.36 kilos per head of registered consumers.

The policy of gradual suppression is being pursued, licensed consumers decreasing from 169,064 in 1900 to 49,031 in 1920; non-issue of new licences and the decrease through death of registered smokers justify the assumption "that the complete suppression of licensed smokers may be effected within perhaps 15 years".

Hongkong.

The total sales of prepared opium during the year 1921 amounted to:

Prepared Bengal opium	261,059.4 taels
Prepared Persian opium	1,074.0 »
Gross opium	672.0 »

equal to 9,954,545 kilos amongst a population numbering in all 625,166 inhabitants, of which, according to the census of 1921, 610,368 were Chinese. The Chinese population has been growing rapidly.

The measures which are being taken for the gradual and effective suppression of the manufacture of, internal trade in, and use of prepared opium are as follows:

- (1) The system of raising the selling price of opium;
- (2) The limiting of purchases to one tael (= 1 1/8 ounce) at a time, except in the case of certain registered persons who are allowed to buy three-tael tins;
- (3) Limiting the amount which an individual may have in his possession to five taels.

Hongkong is ready and willing to co-operate in the suppression of the traffic and it will have no hesitation in accepting any financial sacrifice that may be entailed in making suppression effective.

The public smoking resorts known as "opium divans" were finally abolished in 1910, and in 1914 the monopoly, which had previously been farmed out, was taken by the Government into its own hands.

Indo-China.

During the year 1921, 73,211 kilos of prepared opium were consumed, the estimated number of smokers being about 110,000 out of a population of 20,000,000 inhabitants.

A system of Government monopoly working very much on the lines of the Government monopoly of the Straits Settlements has gradually reduced its manufacture and sales of prepared opium with a result that the sales fell from 136,300 kilos in 1916 to 73,211 kilos in 1921, showing a quantity reduction of 42 per cent. over a period of five years.

Compared with the figures for 1911, 1912, 1913, the consumption for 1921 shows an increase; similarly, if compared with the figures for 1919, when the recorded consumption amounted to 57,000 kilos, or with the figures for 1920, when the recorded consumption amounted to 63,000 kilos, the figures for 1921 show an increase of consumption. The year 1916, with which the comparison is made, is the one which shows the highest recorded consumption during the last eleven years. The following figures show the consumption during the last eleven years in kilos:

1910	77,741
1911	62,728
1912	67,564
1913	68,428
1914	72,842
1915	75,466
1916	140,229
1917	113,461
1918	114,700
1919	57,000
1920	63,000
1921	73,211
1922	68,254

This gives an annual average consumption for the period 1910-1920 inclusive of some 83,000 kilos and for the four years 1912 to 1915 inclusive, an average of 71,075 kilos.

Korea.

The importation and use of opium prepared for smoking are prohibited.

Kwantung, Leased Territory of.

It would appear that the opium sold as prepared opium is actually prepared by the retailers and there are no statistics available for prepared opium.

Macao.

The figures available are those of 1920 and show that 20,500 kilos of prepared opium were manufactured in the Colony, of which 9,500 were exported to Chile, leaving available for internal consumption some 10,900 kilos. Of the amount 10,622 were actually consumed during the year in the Colony, whose population is 74,000. This shows the average consumption to be 147,297 milligrammes or 2,266 grains per head.

Malay States.

1. Federated.

The supplies of prepared opium in the year 1921 amounted to 34,070 kilos (74,953 lbs), but 958 kilos (2,108 lbs) of this consisted of damaged chandu returned at various times during the year for re-preparation, leaving a net import of 33,112 kilos (72,845 lbs). The opium is supplied by the Straits Settlements. The recorded figures of Straits Settlements consumption of prepared opium show that in the Straits Settlements the consumption of prepared opium rose from 62,801 kilos (138,163 lbs) in 1910 to 68,783 kilos (151,322 lbs) in 1920, showing a net quantity increase of 5,981 kilos (13,159 lbs). A system of registration of opium smokers does not seem to be in operation. Converted into kilos, the consumption of opium shows that there were 3,111 kilos consumed amongst a population of 1,036,000 inhabitants or 32 grammes per head.

2. Unfederated.

The supplies of prepared opium received in the Unfederated Malay States amounted to 20,991 kilos. These supplies originated in the Straits Settlements and represent the net amount available for internal consumption for a population of 984,000 inhabitants; this is equal to an allowance of 21,332 milligrammes per head of population representing an allowance of 348 grains of prepared opium.

Netherlands East Indies.

The amounts of raw opium imported during the years 1920, 1921 and 1922 were as follows:

1920	172,932 kilos
1921	117,344 »
1922	111,380 »

The following table shows that the quantity of prepared opium manufactured during the seven years 1914 to 1920 was:

1914	112,990 kilos
1915	86,133 »
1916	82,310 »
1917	105,946 »
1918	84,528 »
1919	86,489 »
1920	126,817 »

The figure for consumption was 2,194,729 taels (83,399 kilos) in 1921 and 1,695,601 taels (64,450 kilos) in 1922.

Siam.

The recorded amount of prepared opium available for internal consumption during the years 1920-1921 amounted to 70,054 kilos, which is in excess of the amount recorded as actually consumed during 1911, 1915, 1919. The number of smokers is estimated to be 200,000 in a population of 9,121,000 inhabitants, and the average consumption per smoker during the period 1920 to 1921 would appear to be 350,220 milligrammes, or 7,680 milligrammes per head for the whole population. This would be equal to an allowance of 120 grains per head.

The statistics furnished by the Siamese Government for the years 1910-1911 to 1919-1920 show that, whilst the actual quantity of prepared opium consumed in Siam cannot be given, the quantity sold annually in the interior of the country is as follows:

1910-1911	67,296 kilos	
1911-1912	70,677 »	
1912-1913	74,293 »	
1913-1914	76,421 »	
1914-1915	71,421 »	
1915-1916	68,023 »	
1916-1917	71,466 »	
1917-1918	76,693 »	
1918-1919	69,743 »	
1919-1920	71,281 »	
1921	51,407 »	} Sold for smoking or consumption.
1922	47,286 »	
1923	50,780 »	

Straits Settlements.

The manufacture, sale and distribution of prepared opium or chandu was made a Government monopoly from January 1st, 1910. The Government has made use of its monopoly since 1910 to discourage the smoking of chandu by gradually reducing the number of opium smoking-room licences, which in 1922 numbered 211 as against 503 on December 31st, 1909, and by successive increases in the price of chandu, wholesale and retail. The wholesale price was raised successively from \$3 to \$4.36 per tael in April 1910, and to \$5 in May 1912, \$6 in February 1913, to \$8 in April 1916, to \$10 in November 1916 and \$12 in October 1920.

At the beginning of 1920, an attempt was made to reduce the consumption of prepared opium by introducing a system of rationing, whereby retailers were supplied with only 90 per cent. of their former average purchases. Great dissatisfaction was caused owing to hoarding and profiteering, which were natural results of the system. The attempt was abandoned at the end of April.

The following table gives the figures for manufacture and consumption respectively:

<i>Year</i>	<i>Manufacture</i> lbs.	<i>Consumed</i> lbs.
1910	323,633	138,163
1911	393,635	148,209
1912	414,579	141,926
1913	382,459	125,338
1914	309,065	117,688
1915	328,071	121,644
1916	353,938	121,551
1917	293,444	108,524
1918	335,038	131,255
1919	359,848	141,728
1920	370,688	151,322

During the same period the actual amount of prepared opium supplied by the Straits Settlements to Johore, Selangor, Kedah, Perlis, Langkavi, Kwantang, Brunei, Kelantan, Trengganu and Parak amounted to:

	lbs.
1910	101,806
1911	264,081
1912	274,767
1913	240,005
1914	194,728
1915	216,213
1916	225,429
1917	195,078
1918	221,815
1919	228,665
1920	216,385

Prepared Opium Statistics.

(Weights are given in kilograms throughout.)

1	2	3	4	5	6	7	8	9
Countries	Year	Locally manufactured kg.	Available for Internal Consumption kg.	Actually consumed kg.	Population (in thousands)	Adult Chinese male populations	Number of registered smokers	Remarks
BURMA	1920	—	—	41,924	13,000		5,405	No statistics as to quantity used; only statistics refer to Excise opium issued to retailers for ultimate preparations. The figures recorded as opium sold for consumption (column 5) have been considered as representing prepared opium, though the Report of the Administration of the Excise Department does not qualify it as prepared opium.
	1921			37,946				
	1922			30,778 ⁽¹⁾				
	1923							
BRITISH NORTH BORNEO	1920	8,435	8,435	7,712	258	20,700		Smokers not registered.
	1921			5,124				
	1922			4,396				
	1923	(²)		4,209				
BRUNEI	1920				40	884 †		† 1921 census. No precise figures available. The sale of prepared opium in the District of Muara is not taken into account.
	1921			178				
	1922			225 ⁽²⁾				
	1923							
CEYLON	1920			323	4,504	688	11,842	
	1921	3,818	3,818	306				
	1922			288				
	1923			256				
CHINA	1920				436,094			No legitimate trade. Amount of illicit consumption unknown.
	1921							
	1922							
	1923							
MALAY STATES (FEDERATED)	1920			59,708	1,036	292,491 †		Export prohibited. The amounts stated to be locally manufactured in 1921 and 1922 were manufactured in Singapore. Smokers are not registered.
	1921	33,112	33,112	37,390				
	1922	35,755	35,755	32,140				
	1923			38,072				
MALAY STATES (UNFEDERATED)	1920			37,724	984	121,809 §		† 1921 census. No precise figures available. Export prohibited. The amount stated to be locally manufactured in 1921 was actually manufactured in Singapore. Decrease in Trengganu due to decrease of Chinese population.
	1921	20,991	20,991	23,641				
	1922			20,364				
	1923			23,483				
FORMOSA	1920	65,443	65,443	66,517	3,654	Not known ‡	49,036	§ 1921 census. No precise figures available. This figure does not include Brunei, which is given above. Excess of consumption over manufacture due to stock in hand. ‡ Total Chinese population at the end of 1922: 27,066.
	1921			52,838				
	1922			54,166				
	1923							
FRENCH INDIA	1920				263		7,840	Number of smokers given approximately.
	1921							
	1922			524				
	1923							

(¹) From April 1st, 1922, to March 31st, 1923. (²) 5,911 kg. raw opium were used for manufacture of prepared opium. The origin of this opium not being given, it was not possible to calculate the exact quantity of prepared opium in 1923. (³) The increase is due to a large influx of Chinese labour in connection with work on rubber estates and a new oil-field.

Prepared Opium Statistics (continued).

1	2	3	4	5	6	7	8	9
Countries	Year	Locally manufactured kg.	Available for internal consumption kg.	Actually consumed kg.	Population (in thousands)	Adult Chinese male populations	Number of registered smokers	Remarks
FRENCH INDO-CHINA	1920	53,616	53,616	63,000	20,000		110,000	Number of smokers presumably estimated. Reduced from 136,300 kilos in 1916. No other data available. Smokers not registered.
	1921			73,211				
	1922			68,254				
	1923							
HONG-KONG	1920	10,975	10,975	11,127	635*	About 50 % of Chinese population		Smokers are not registered. * Chinese population.
	1921	10,205	10,205	9,934	675			
	1922			13,999	705			
	1923			14,520	1,000			
INDIA	1920				319,075			} No statistics of prepared opium for smoking.
	1921							
	1922							
	1923							
KWANGTUNG	1920	8,161			600	} 216,745	2,808	Manufactured by retailers. Quantity consumed unknown. All the smokers are Chinese.
	1921			8,636			2,430	
	1922							
	1923							
MACAO (1).	1920	20,500	10,900	10,622	74	Information with regard to the Chinese male population will be found in the Annual Report for Macao, 1922, which has been despatched by the Governor of that Colony, but has not yet been received by the Secretariat.		It has been assumed that each chest of raw opium yields 40 kilos of prepared opium. The export is authorised and is said to have been to Chile. Certain figures have been given by the Portuguese Government with the information that they are calculated on the basis of a proposed agreement between the Portuguese Government and British India. As, however, no information has been received from the Portuguese or British Governments that this Agreement is in operation, these figures have not been included in this document.
	1921							
	1922							
	1923							
NETHERLANDS EAST INDIES	1920	126,817	126,817	100,665§	49,161	See Remarks Column**		§ As against an average annual consumption during the six preceding years of 92,712 kilos. Number of consumers unknown. ** Total number of Chinese population according to 1921 census was 876,000.
	1921			83,399				
	1922			64,450				
	1923			52,401				
SIAM	1920					Figures of Chinese male population not available.		Number of smokers is estimated only. The figures given by the Government are figures for 1920-1921. The figures for consumption represent the amount of opium sold for smoking or consumption.
	1921 (4)	70,054	70,054	58,484	9,121		200,000	
	1922 (5)	57,418	57,418	50,160				
	1923 (6)	48,169	48,169	47,097				
	1924 (7)	50,300	50,300					
STRAITS SETTLEMENTS (8)	1920	168,144	72,000	68,638	881	244,600		Smokers are not registered.
	1921	126,612	126,617	57,392		247,800		
	1922	109,152	109,157	51,492		247,800		
	1923	110,847	110,847	50,246 (8)		247,800		

(1) The difference between the figures of local manufacture and the amount available for internal consumption is due to the fact that 9,600 kilos were exported from Macao. (2) Prepared opium is manufactured for the use of the Malay States, as well as for the Colony itself. The Malay States obtain all their supplies from the Central Factory in Singapore. In 1920 the amount provided for the Malay States was 98,000 kilos. (3) 13,453 kg. raw opium were used for the manufacture of prepared opium, that is to say, about 8,072 kg. prepared opium. (4) From April 1st, 1920, to March 31st, 1921. (5) From April 1st, 1921, to March 31st, 1922. (6) From April 1st, 1922, to March 31st, 1923. (7) From April 1st, 1923, to March 31st, 1924. (8) Quantity of prepared opium sold for consumption in the Colony. This figure does not include direct sales to the Malay States.

Part 2.

**QUANTITIES OF PREPARED OPIUM CONSIDERED NECESSARY
FOR ANNUAL CONSUMPTION**

NOTES BY THE SECRETARIAT REGARDING THE ANNEXED
TABLES OF ESTIMATES.

(1) The figures which have been used in drawing up the annexed table have been supplied by the various Governments in response to enquiries made at the request of the Council.

(2) The estimates given in the annexed table are to be regarded as representing the quantities required for consumption during the years stated only:

Straits Settlements, Federated Malay States, Unfederated	
Malay States	1923
British North Borneo	1923
Siam	1924
Netherlands Indies	1922
Hong-Kong	1923 ¹

In the case of Ceylon, no special year is mentioned.

(3) Chapter II, Article 6, of the International Opium Convention of 1912 provides that:

"The Contracting Powers shall take measures for the gradual and effective suppression of the manufacture of, internal trade in, and use of, prepared opium, with due regard to the varying circumstances of each country concerned unless regulations on the subject are already in existence."

(4) 100 kilograms of raw opium (Bengal opium) have been taken as the equivalent of 60 kilograms of prepared opium; in the case of Persian opium, however, the content of prepared opium is greater.

¹ The Government of Hong-Kong estimated 25 chests of raw opium per month as the legitimate requirements of the Colony for the year 1923. Owing to the increase in the Chinese population, the Government considers it necessary to calculate 30 chests per month as a reasonable maximum figure for future years.

ESTIMATED AMOUNTS OF RAW OPIUM REQUIRED FOR THE MANUFACTURE OF PREPARED OPIUM FOR CONSUMPTION IN TERRITORIES IN WHICH SUCH CONSUMPTION IS STILL PERMITTED UNDER THE CONDITIONS LAID DOWN IN CHAPTER II OF THE HAGUE CONVENTION.

1	2	3	4	5	6	7
Country	Estimated annual requirements in terms of their equivalent in raw opium	Native population in thousands	Estimated annual requirements per head of native population, in grammes	Chinese population in thousands	Estimated annual requirements per head of Chinese population, in grammes	Remarks
	(kilos)		(grammes)		(grammes)	
STRAITS SETTLEMENTS						Approximate number of smokers, 200,000; 450 grammes are thus considered necessary per smoker. Of these 200,000 smokers, 25 %, or 50,000, are Chinese. (a) Chinese population.
FEDERATED MALAY STATES	266,050	3,305	80.49921	1,175	227	
UNFEDERATED MALAY STATES						
BRITISH NORTH BORNEO	11,363	258	44.0426	40	284	
SIAM	90,000	9,120	9.8673			
NETHERLANDS INDIES	104,089	48,992	2.1246			
CEYLON	272	4,489	0.0605			
HONG-KONG	21,744	(a) 705	31	705	31	
MACAO (no figures)						
INDO-CHINA* (no figures)						
FORMOSA (no figures)						

NOTE: In all cases, the native population given in column 3 is equal to the total population, less Europeans.

[Communiqué au Conseil
et aux Membres de la Société.]

✓ C. 82. M. 41. 1925. XI.
[C. O. P. 57 (1).]

SOCIÉTÉ DES NATIONS

GENÈVE, le 28 février 1925.

PREMIÈRE CONFÉRENCE DE L'OPIUM

ACCORD
PROTOCOLE
ACTE FINAL

signés à Genève, le 11 février 1925.

LEAGUE OF NATIONS

FIRST OPIUM CONFERENCE

AGREEMENT
PROTOCOL
FINAL ACT

signed at Geneva, February 11th, 1925.

4✓

ACCORD

L'EMPIRE BRITANNIQUE (AVEC L'INDE), LA CHINE, LA FRANCE, LE JAPON, LES PAYS-BAS, LE PORTUGAL ET LE SIAM,

Fermement résolu à effectuer la suppression graduelle et efficace de la fabrication, du commerce intérieur et de l'usage de l'opium préparé, telle qu'elle est prévue au Chapitre II de la Convention internationale de l'Opium, du 23 janvier 1912, dans leurs possessions et territoires d'Extrême-Orient, y compris les territoires cédés à bail ou protégés, dans lesquels l'usage de l'opium préparé est encore autorisé; et

Désireux, pour des raisons d'humanité et en vue d'assurer le bien-être social et moral des peuples intéressés, de prendre toutes mesures utiles pour réaliser dans le délai le plus bref possible la suppression de l'usage de l'opium à fumer;

Ayant décidé de conclure un Accord additionnel à ladite Convention internationale;

Ont nommé à cet effet pour leurs plénipotentiaires:

Sa Majesté le Roi du Royaume-Uni de Grande-Bretagne et d'Irlande et des territoires britanniques au delà des mers, Empereur des Indes:

Sir Malcolm DELEVINGNE, K.C.B., Sous-Secrétaire d'Etat adjoint pour le Home Department,

Et pour l'Inde:

Mr. Harold CLAYTON, C.I.E. et membre du Service Civil de l'Inde,

Le Président de la République chinoise:

Le Président de la République française:

M. Ed. DALADIER, Ministre des Colonies,

Sa Majesté l'Empereur du Japon:

M. Sagataro KAKU, ancien Gouverneur civil du Gouvernement Général de Taiwan,

M. Yotaro SUGIMURA, Conseiller d'Ambassade, Chef adjoint du Bureau Impérial du Japon à la Société des Nations,

Sa Majesté la Reine des Pays-Bas:

M. W. G. van WETTUM, ancien Chef du Département de la Régie de l'Opium aux Indes Néerlandaises,

M. de KAT ANGELINO, Secrétaire pour les affaires de Chine au Gouvernement des Indes Néerlandaises,

Le Président de la République portugaise:

M. A. Bartholomeu FERREIRA, Envoyé extraordinaire et Ministre plénipotentiaire de la République Portugaise près le Conseil Fédéral Suisse,

M. Rodrigo RODRIGUES, Gouverneur de la Province de Macao,

Sa Majesté le Roi de Siam:

S. A. S. le Prince DAMRAS, Chargé d'affaires de Siam à La Haye,

Lesquels ayant examiné la situation actuelle au point de vue de l'application du Chapitre II de ladite Convention internationale de l'Opium, dans les possessions et territoires d'Extrême-Orient sus-mentionnés; et

Prenant acte du fait que l'augmentation de la contrebande de l'opium dans la plus grande partie des territoires d'Extrême-Orient depuis la ratification de la Convention entrave, dans une mesure très sensible, la réalisation de la suppression graduelle et efficace de la fabrication, du commerce intérieur et de l'usage de l'opium préparé, telle qu'elle est prévue dans la Convention, et que cette augmentation rend même moins efficaces certaines des mesures déjà prises à cette fin; et

Tenant compte de la situation différente des divers pays;

Ayant déposé leurs pleins pouvoirs, reconnus en bonne et due forme, sont convenus des dispositions suivantes:

AGREEMENT

THE BRITISH EMPIRE (WITH INDIA), CHINA, FRANCE, JAPAN, THE NETHERLANDS, PORTUGAL AND SIAM,

Being fully determined to bring about the gradual and effective suppression of the manufacture of, internal trade in and use of prepared opium, as provided for in Chapter II of the International Opium Convention of January 23rd 1912, in their Far Eastern Possessions and Territories, including leased or protected territories, in which the use of prepared opium is temporarily authorised; and

Being desirous, on the grounds of humanity and for the purpose of promoting the social and moral welfare of their peoples, of taking all possible steps for achieving the suppression of the use of opium for smoking with the least possible delay;

Having decided to conclude an agreement supplementary to the said International Convention;

Have nominated for this purpose as their plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, Emperor of India:

Sir Malcolm DELEIVINGNE, K.C.B., Assistant Under-Secretary of State for the Home Department,

And for India:

Mr. Harold CLAYTON, C.I.E., I.C.S.,

The President of the Chinese Republic:

The President of the French Republic:

Mr. Ed. DALADIER, Minister for the Colonies,

His Majesty the Emperor of Japan:

Mr. Sagataro KAKU, former Civil Governor of the General Government of Taiwan,
Mr. Yotaro SUGIMURA, Counsellor of Embassy, Assistant Head of the Imperial Japanese Bureau accredited to the League of Nations,

Her Majesty the Queen of the Netherlands:

Mr. W. G. van WETTUM, former Head of the Opium Régie Department in the Netherlands Indies,

Mr. de KAT ANGELINO, Secretary for Chinese Affairs to the Government of the Netherlands Indies,

The President of the Portuguese Republic:

Mr. A. Bartholomeu FERREIRA, Envoy Extraordinary and Minister Plenipotentiary of the Portuguese Republic to the Swiss Federal Council,

Mr. Rodrigo RODRIGUES, Governor of the Province of Macao,

His Majesty the King of Siam:

H.S.H. Prince DAMRAS, Siamese Chargé d'Affaires at The Hague,

Who, having examined the present situation in regard to the application of Chapter II of the said International Opium Convention in the above-mentioned Far Eastern possessions and territories; and

Taking note of the fact that the increase of the smuggling of opium in the greater part of the territories in the Far East since the ratification of the Convention is hampering greatly the accomplishment of the gradual and effective suppression of the manufacture of, internal trade in, and use of prepared opium, as provided for in the Convention, and is even rendering less effective some of the measures already taken for that end; and

Taking into account the different situations of the several countries,

Having deposited their full powers found in good and due form;

Have agreed as follows:—

Article Ier.

1. Sauf en ce qui est prévu au paragraphe 3 du présent article pour la vente au détail, l'importation, la vente et la distribution de l'opium constitueront un monopole d'Etat et le droit d'importer, de vendre et de distribuer l'opium ne pourra être affermé, concédé ou délégué à qui que ce soit.

2. La fabrication de l'opium préparé, destiné à la vente, devra également faire l'objet d'un monopole d'Etat, dès que les circonstances le permettront.

3. (a) Le Gouvernement devra mettre à l'essai, dans les régions où l'autorité administrative peut exercer une surveillance efficace, le système de la rétribution des personnes employées à la vente au détail et à la distribution de l'opium, au moyen d'un salaire fixe, et non d'une commission sur les ventes.

(b) Partout ailleurs, la vente au détail et la distribution de l'opium ne pourront se faire que par des personnes munies d'une licence du Gouvernement.

Le chiffre (a) ne s'applique pas lorsque le système des licences et du rationnement des consommateurs est en vigueur et donne des garanties équivalentes ou plus effectives.

Article II.

La vente de l'opium aux mineurs est interdite. Toutes les mesures possibles seront prises par les Puissances contractantes en vue d'empêcher la propagation parmi les mineurs de l'habitude de fumer l'opium.

Article III.

L'entrée des fumeries est interdite aux mineurs.

Article IV.

Les Puissances contractantes restreindront autant que possible le nombre des magasins de vente au détail, ainsi que celui des fumeries, dans les pays où elles sont autorisées.

Article V.

L'achat et la vente du « dross » sont interdits, excepté si le « dross » est vendu au monopole.

Article VI.

(1) Est interdite l'exportation de l'opium, soit brut, soit préparé, hors d'une Possession ou d'un Territoire, dans lesquels l'importation de l'opium destiné à être fumé est maintenue.

(2) Est interdit dans toute Possession ou Territoire de ce genre, le transit ou le transbordement de l'opium préparé.

(3) Sera également interdit, dans toute Possession ou Territoire de ce genre, le transit ou le transbordement de l'opium brut consigné à une destination se trouvant en dehors de la Possession ou du Territoire, à moins qu'un certificat d'importation, délivré par le Gouvernement du pays importateur et pouvant être accepté comme fournissant des garanties suffisantes contre la possibilité d'usage illicite, ne soit présenté au Gouvernement de la Possession ou du Territoire dont il s'agit.

Article VII.

Les Puissances contractantes feront tous leurs efforts pour combattre l'usage de l'opium préparé dans leurs territoires respectifs, par l'enseignement dans les écoles, par la distribution de brochures et par tous autres moyens, à moins qu'elles n'estiment ces mesures inopportunes, en raison de la situation spéciale de ces territoires.

Article I

1. Except as provided in paragraph 3 of this article with regard to retail sale, the importation, sale and distribution of opium shall be a monopoly of the Government and the right to import, sell or distribute opium shall not be leased, accorded or delegated to any persons whatever.

2. The making of prepared opium for sale shall also be made a monopoly of the Government as soon as circumstances permit.

3(a) The system of employing persons paid by a fixed salary and not by a commission on sales for the retail sale and distribution of opium shall be applied experimentally in those districts where an effective supervision can be exercised by the administrative authorities.

(b) Elsewhere the retail sale and distribution of opium shall be conducted only by persons licensed by the Government.

Paragraph (a) need not be applied if a system of licensing and rationing of smokers is in force which affords equivalent or more effective guarantees.

Article II

The sale of opium to minors shall be prohibited. All possible steps shall be taken by the Contracting Powers to prevent the spread of the habit of opium smoking among minors.

Article III

No minors shall be permitted to enter any smoking divan.

Article IV

The Contracting Powers shall limit as much as possible the number of retail shops and, where smoking divans are permitted, the number of divans.

Article V

The purchase and sale of "dross", except when the "dross" is sold to the monopoly, is prohibited.

Article VI

(1) The export of opium, whether raw or prepared, from any Possession or Territory into which opium is imported for the purpose of smoking shall be prohibited.

(2) The transit through, or trans-shipment in, any such Possession or Territory of prepared opium shall be prohibited.

(3) The transit through, or trans-shipment in, any such Possession or Territory of raw opium consigned to a destination outside the Possession or Territory shall also be prohibited unless an import certificate, issued by the Government of the importing country, which can be accepted as affording sufficient guarantees against the possibility of illegitimate use, is produced to the Government of the Possession or Territory.

Article VII

The Contracting Powers shall use their utmost efforts by suitable instruction in the schools, dissemination of literature and otherwise, to discourage the use of prepared opium within their respective territories, except where a Government considers such measures to be undesirable under the conditions existing in its territory.

Article VIII.

Les Puissances contractantes s'engagent à s'aider mutuellement dans leurs efforts pour arriver à la suppression de la contrebande par des échanges directs de renseignements et de vues entre les chefs des services intéressés.

Article IX.

Les Puissances contractantes examineront dans l'esprit le plus favorable la possibilité de prendre des mesures législatives pour pouvoir punir les transactions illégitimes dont les éléments constitutifs auront été accomplis, dans un pays étranger, par une personne résidant sur leurs territoires.

Article X.

Les Puissances contractantes fourniront tous les renseignements qu'elles pourront se procurer sur le nombre des fumeurs d'opium. Ces renseignements doivent être adressés au Secrétaire général de la Société des Nations, aux fins de publication.

Article XI.

Le présent Accord ne vise pas l'opium uniquement destiné aux besoins médicaux et scientifiques.

Article XII.

Les Puissances contractantes conviennent d'examiner périodiquement, à des dates qu'elles fixeront d'un commun accord, la situation en ce qui concerne l'application du Chapitre II de la Convention de La Haye du 23 janvier 1912 et du présent Accord. La première réunion aura lieu au plus tard en 1929.

Article XIII.

Le présent Accord ne s'applique qu'aux Possessions et Territoires d'Extrême-Orient des Puissances contractantes, y compris les territoires cédés à bail ou protégés, dans lesquels l'usage de l'opium préparé est temporairement autorisé.

Lors de la ratification, chaque Puissance contractante pourra déclarer que son adhésion à l'Accord ne s'étend pas à un territoire quelconque sur lequel elle n'exerce qu'un protectorat et elle pourra adhérer ultérieurement à l'Accord pour tout protectorat ainsi exclu, au moyen d'une notification d'adhésion déposée entre les mains du Secrétaire général de la Société des Nations, qui notifiera immédiatement ce dépôt à toutes les autres Puissances contractantes.

Article XIV.

Le présent Accord, dont les textes français et anglais font foi, sera sujet à ratification.

Le dépôt des ratifications sera effectué au Secrétariat de la Société des Nations le plus tôt qu'il sera possible.

L'Accord n'entrera en vigueur qu'après avoir été ratifié par deux Puissances. La date de son entrée en vigueur sera le 90^{ème} jour après la réception, par le Secrétaire général de la Société des Nations, de la deuxième ratification. Ultérieurement, le présent Accord prendra effet en ce qui concerne chacune des Puissances contractantes 90 jours après la réception de la ratification.

Le présent Accord sera enregistré par le Secrétaire général de la Société des Nations le jour de son entrée en vigueur.

Article XV.

S'il arrivait qu'une des Puissances contractantes voulût dénoncer le présent Accord, la dénonciation sera notifiée par écrit au Secrétaire général de la Société des Nations, qui communiquera immédiatement copie de la notification à toutes les autres Puissances, en leur faisant savoir la date à laquelle il l'a reçue.

La dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée et un an après que la notification en sera parvenue au Secrétaire général.

Article VIII

The Contracting Powers undertake to assist one another in their efforts to suppress the illicit traffic by the direct exchange of information and views between the heads of the services concerned.

Article IX

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.

Article X

The Contracting Powers will furnish all information which they can obtain with regard to the number of opium smokers. This information shall be transmitted to the Secretary-General of the League of Nations for publication.

Article XI

The provisions of this agreement shall not apply to opium destined solely for medical and scientific purposes.

Article XII

The Contracting Powers agree that they will jointly review from time to time at such dates as may be mutually agreed, the position in regard to the application of Chapter II of the Hague Convention of January 23rd 1912, and of the present Agreement. The first meeting shall take place at latest in 1929.

Article XIII

The present Agreement applies only to the Far Eastern possessions or territories of the Contracting Powers, including leased or protected territories, in which the use of prepared opium is temporarily authorised.

At the moment of ratification any Contracting Power may declare that its acceptance of the Agreement does not include any territory over which it exercises only a protectorate; and may accede subsequently in respect of any protectorate thus excluded by means of a notification of accession deposited with the Secretary-General of the League of Nations who shall forthwith notify the accession to all the other Contracting Powers.

Article XIV

The present Agreement, of which the French and English texts are both authentic, shall be subject to ratification.

The deposit of ratification shall be made at the Secretariat of the League of Nations as soon as possible.

The Agreement shall not come into force until it has been ratified by two Powers. The date of its coming into force shall be the 90th day after the receipt by the Secretary-General of the League of Nations of the second ratification. Thereafter the Agreement shall take effect for each Contracting Power 90 days after the receipt of its ratification.

The Agreement shall be registered by the Secretary-General of the League of Nations upon the day of its coming into force.

Article XV

If one of the Contracting Powers should wish to denounce the present Agreement, the denunciation shall be notified in writing to the Secretary-General of the League of Nations who will immediately communicate a copy of the notification to all the other Powers, informing them of the date on which it was received.

The denunciation shall take effect only as regards the Power which notified it, and one year after the notification thereof has reached the Secretary-General.

EN FOI DE QUOI les plénipotentiaires sus-nommés ont signé le présent Accord.

FAIT A GENEVE, le onze février mil neuf cent vingt-cinq, en un seul exemplaire qui restera déposé dans les archives du Secrétariat de la Société des Nations et dont les expéditions authentiques seront remises à toutes les Puissances contractantes.

IN FAITH WHEREOF the above-named plenipotentiaries have signed the present Agreement.

DONE AT GENEVA, the eleventh day of February of nineteen hundred and twenty five, in a single copy which shall remain deposited in the archives of the Secretariat of the League of Nations, and of which authenticated copies shall be transmitted to all the Contracting Powers.

EMPIRE BRITANNIQUE

BRITISH EMPIRE

Malcolm DELEIVINGNE

INDE

INDIA

Harold CLAYTON.

CHINE

CHINA

FRANCE

FRANCE

Ed. DALADIER.

JAPON

JAPAN

S. KAKU.

Y. SUGIMURA.

PAYS-BAS

THE NETHERLANDS

v. WETTUM.

A. D. A. de KAT ANGELINO

PORTUGAL

PORTUGAL

A. M. Bartholômeu FERREIRA

Rodrigo J. RODRIGUES

SIAM

SIAM

DAMBAS

PROCOOLE

PROTOCOL

PROTOCOLE

Les représentants soussignés des Etats signataires de l'Accord relatif à l'usage de l'opium préparé, signé aujourd'hui, dûment autorisés à cet effet,

Soucieux d'assurer l'exécution complète et définitive des obligations et de renforcer les engagements qu'ils ont contractés en vertu des stipulations de l'article VI de la Convention de La Haye de 1912,

Prenant acte de ce que la Deuxième Conférence de l'Opium a décidé d'adopter un Protocole par lequel certaines puissances devront établir dans un délai maximum de cinq ans un contrôle efficace sur la production, la distribution et l'exportation de l'opium brut, de manière à empêcher le commerce illicite ;

Conviennent par les présentes des dispositions suivantes :

Article I.

Les Etats signataires du présent Protocole reconnaissent que les dispositions de l'Accord signé aujourd'hui renforcent l'obligation contractée par les Etats signataires aux termes de l'article VI de la Convention de La Haye de 1912 et sont destinées à faciliter l'exécution de cette obligation qui continue à garder toute sa force et son plein effet.

Article II.

Dès que les pays qui cultivent le pavot auront assuré l'exécution effective des dispositions nécessaires pour empêcher que l'exportation de l'opium brut hors des territoires soumis à leur autorité ne constitue un obstacle sérieux à la réduction de la consommation dans les pays où l'usage de l'opium préparé reste temporairement autorisé, les Etats signataires du présent protocole renforceront les mesures qu'ils ont déjà prises conformément à l'article VI de la Convention de La Haye de 1912 et, s'il est nécessaire, en prendront de nouvelles pour réduire la consommation de l'opium préparé dans les territoires soumis à leur autorité, de manière que cet usage soit complètement supprimé dans un délai maximum de quinze ans à dater de la décision visée à l'article suivant.

Article III.

Une commission nommée à cet effet par le Conseil de la Société des Nations sera chargée, le moment venu, de constater l'exécution effective des dispositions que doivent prendre les pays producteurs et qui sont visées à l'article précédent dans la mesure prévue audit article. La décision de cette commission sera sans appel.

PROTOCOL

The undersigned representatives of the States signatory to the Agreement relating to the use of prepared opium signed this day, duly authorised to that effect ;

Anxious to ensure the complete and final execution of the obligations, and to strengthen the undertakings assumed by them under Article VI of the Hague Convention of 1912 ;

Taking note of the fact that the Second Opium Conference has decided to adopt a Protocol by which certain Powers are to establish within five years at latest an effective control over the production, distribution and export of raw opium, so as to prevent illicit traffic ;

Hereby agree as follows :

Article I.

The States signatories of the present Protocol recognise that the provisions of the Agreement signed this day are supplementary to, and designed to facilitate the execution of the obligation assumed by the signatory States under Article VI of the Hague Convention of 1912, which obligation remains in full force and effect.

Article II.

As soon as the poppy-growing countries have ensured the effective execution of the necessary measures to prevent the exportation of raw opium from their territories from constituting a serious obstacle to the reduction of consumption in the countries where the use of prepared opium is temporarily authorised, the States signatories of the present Protocol will strengthen the measures already taken in accordance with Article VI of the Hague Convention of 1912, and will take any further measures which may be necessary, in order to reduce consumption of prepared opium in the territories under their authority, so that such use may be completely suppressed within a period of not more than fifteen years from the date of the decision referred to in the following Article.

Article III.

A Commission to be appointed at the proper time by the Council of the League of Nations shall decide when the effective execution of the measures, mentioned in the preceding Article, to be taken by the poppy-growing countries has reached the stage referred to in that Article. The decision of the Commission shall be final.

Article IV.

Au cas où à un moment quelconque de la période de quinze ans prévue à l'article II l'un des Etats signataires du présent protocole apprendrait que les dispositions à prendre par les pays producteurs visées audit article auraient cessé de recevoir une exécution effective, cet Etat aurait le droit de signaler les faits au Conseil de la Société des Nations ; si le Conseil, soit par un rapport d'une Commission nommée par lui pour se prononcer après enquête sur les faits signalés, soit par toutes autres informations dont il pourra disposer, reconnaît que les faits signalés sont exacts, les Etats intéressés auront le droit de dénoncer le présent Protocole. En ce cas, une conférence des Etats intéressés se réunira immédiatement, afin d'examiner les mesures à prendre.

Article V.

Dans l'année qui précédera l'expiration du délai de quinze ans prévu à l'article II, les Etats signataires du présent protocole, réunis en Conférence spéciale, examineront les mesures à prendre à l'égard des intoxicés invétérés dont l'état pathologique aura été constaté par les autorités médicales du pays intéressé.

Article VI.

Les Etats signataires du présent protocole coordonneront leurs efforts pour arriver à la suppression complète et définitive de l'usage de l'opium préparé. Afin d'atteindre ce but dans le plus bref délai possible, les mêmes Etats reconnaissant les difficultés que certaines Puissances peuvent rencontrer dans les circonstances actuelles pour assurer un contrôle efficace de la production, de la distribution et de l'exportation de l'opium brut, font un pressant appel aux pays qui cultivent le pavot, afin d'établir entre tous les Etats intéressés une collaboration confiante et active qui permettra de mettre fin au trafic illicite.

Article VII.

Le présent protocole entrera en vigueur pour chacun des Etats signataires en même temps que l'Accord relatif à l'usage de l'opium préparé signé à la date d'aujourd'hui.

Article VIII.

Tout Etat représenté à la Conférence où a été élaboré le présent protocole peut y adhérer à tout moment après sa mise en vigueur.

Article IV.

In the event of any of the States signatories of the present Protocol finding, at any time during the period of fifteen years referred to in Article II, that the measures to be taken by the poppy-growing countries, referred to in the said Article, are no longer being effectively executed, such State shall have the right to bring the matter to the notice of the Council of the League of Nations. If the Council, whether by the report of a Commission appointed by it to investigate and report upon the facts, or by any other information at its disposal is satisfied that the facts are as stated, the States concerned will be entitled to denounce the present Protocol. In that case a Conference of the States concerned shall at once be held to consider the action to be taken.

Article V.

During the year preceding the end of the period of fifteen years referred to in Article II, a special Conference of the States signatories of the present Protocol shall be held to consider the measures to be taken in regard to habitual addicts whose pathological condition is certified by the medical authorities of the country concerned.

Article VI.

The States signatories of the present Protocol will co-ordinate their efforts to effect the complete and final suppression of the use of prepared opium. In order to attain this object as soon as possible the said States, recognising the difficulties at present experienced by certain Powers in establishing an effective control over the production, distribution and exportation of raw opium, make a pressing appeal to the poppy-growing countries for the establishment between all the States concerned of a sincere and energetic collaboration which will lead to the termination of the illicit traffic.

Article VII.

The present Protocol shall come into force for each of the signatory States at the same time as the Agreement relating to the use of prepared opium signed this day.

Article VIII.

Any State represented at the Conference at which the present Protocol was drawn up may accede to it at any time after its coming into force.

Fait à Genève, le onze février mil
neuf cent vingt-cinq.

Done at Geneva, the eleventh day
of February, one thousand nine hundred
and twenty-five.

EMPIRE BRITANNIQUE

BRITISH EMPIRE

Malcolm DELEVINGNE.

INDE

INDIA

Harold CLAYTON.

CHINE

CHINA

FRANCE

FRANCE

Ed. DALADIER

JAPON

JAPAN

S. KAKU.

Y. SUGIMURA.

PAYS-BAS

THE NETHERLANDS

v. WETTUM.

A.D.A. de KAT ANGELINO

PORTUGAL

PORTUGAL

A. M. Bartholomeu FERREIRA

Rodrigo J. RODRIGUES

SIAM

SIAM

DAMRAS

ACTE FINAL

FINAL ACT

ACTE FINAL

DE LA

CONFÉRENCE SUR L'APPLICATION A L'EXTRÊME-ORIENT DU CHAPITRE II DE LA CONVENTION INTERNATIONALE DE L'OPIUM DU 23 JANVIER 1912,

RÉUNIE A GENÈVE LE 3 NOVEMBRE 1924.

La Conférence convoquée par le Conseil de la Société des Nations, conformément à la Résolution adoptée par l'Assemblée de la Société le 27 septembre 1923, s'est réunie au Secrétariat de la Société des Nations le 3 novembre 1924.

Les Gouvernements dont l'énumération suit ont pris part à la Conférence pour laquelle ils avaient désigné les plénipotentiaires ci-après :

EMPIRE BRITANNIQUE AVEC L'INDE :

Sir Malcolm DELEIVINGNE, K.C.B., Sous-Secrétaire d'Etat adjoint pour le Home Department,

INDE :

M. John CAMPBELL, C.S.I., O.B.E., ancien Membre du Service Civil de l'Inde,
M. Harold CLAYTON, C.I.E., et Membre du Service Civil de l'Inde,

CHINE :

Son Excellence M. Sao Ke Alfred SZE, Ambassadeur, Envoyé extraordinaire et Ministre plénipotentiaire aux Etats-Unis d'Amérique,

Son Excellence M. WANG Kouang Ky, Envoyé extraordinaire et Ministre plénipotentiaire près Sa Majesté la Reine des Pays-Bas,

Son Excellence M. Chao-Hsin CHU, Ministre plénipotentiaire, Chargé d'affaires à Londres,

FRANCE :

Son Excellence M. Ed. DALADIER, Ministre des Colonies,

JAPON :

M. Sagataro KAKU, ancien Gouverneur civil du Gouvernement Général de Taïwan,

M. Yotaro SUGIMURA, Conseiller d'Ambassade, Chef-adjoint du Bureau Impérial du Japon à la Société des Nations,

PAYS-BAS :

M. W. G. van WETTUM, ancien Chef du Département de la Régie de l'Opium aux Indes Néerlandaises,

M. de KAT ANGELINO, Secrétaire pour les affaires de Chine au Gouvernement des Indes Néerlandaises,

PORTUGAL :

Son Excellence M. A. Bartholomeu FERREIRA, Envoyé extraordinaire et Ministre plénipotentiaire de la République Portugaise près le Conseil Fédéral Suisse,

M. Rodrigo RODRIGUES, Gouverneur de la Province de Macao,

SIAM :

Son Altesse Sérénissime le Prince DAMRAS, Chargé d'affaires de Siam à La Haye,

FINAL ACT

OF THE

CONFERENCE ON THE APPLICATION IN THE FAR EAST OF CHAPTER II OF THE INTERNATIONAL OPIUM CONVENTION OF JANUARY 23rd, 1912,

CONVENED AT GENEVA ON NOVEMBER 3rd, 1924.

The Conference convened by the Council of the League of Nations in accordance with the Resolution adopted by the Assembly of the League on September 27th, 1923, met in the offices of the Secretariat of the League on November 3rd, 1924.

The Governments below enumerated took part in the Conference, for which they had appointed the following plenipotentiaries :

BRITISH EMPIRE WITH INDIA :

Sir Malcolm DELEVINGNE, K.C.B., Assistant Under-Secretary of State for the Home Department,

INDIA :

Mr. John CAMPBELL, C.S.I., O.B.E., I.C.S. (retired),

Mr. Harold CLAYTON, C.I.E., I.C.S.;

CHINA :

His Excellency Mr. Sao Ke Alfred SZE, Ambassador, Envoy Extraordinary and Minister Plenipotentiary to the United States of America,

His Excellency Mr. WANG Kouang Ky, Envoy Extraordinary and Minister Plenipotentiary to Her Majesty the Queen of the Netherlands,

His Excellency Mr. Chao-Hsin CHU, Minister Plenipotentiary, Chargé d'Affaires in London,

FRANCE :

His Excellency Mr. Ed. DALADIER, Minister for the Colonies,

JAPAN :

Mr. Sagataro KAKU, former Civil Governor of the General Government of Taiwan,

Mr. Yotaro SUGIMURA, Counsellor of Embassy, Assistant Head of the Imperial Japanese Bureau accredited to the League of Nations,

THE NETHERLANDS :

Mr. W. G. van WETTUM, former Head of the Opium Régie Department in the Netherlands Indies,

Mr. de KAT ANGELINO, Secretary for Chinese Affairs to the Government of the Netherlands Indies,

PORTUGAL :

His Excellency Mr. A. Bartholomen FERREIRA, Envoy Extraordinary and Minister Plenipotentiary of the Portuguese Republic to the Swiss Federal Council,

Mr. Rodrigo RODRIGUES, Governor of the Province of Macao,

SIAM :

His Serene Highness Prince DAMRAS, Siamese Chargé d'Affaires at The Hague,

Dans une série de séances, la Conférence a arrêté le texte de l'Accord complémentaire et du Protocole portant la date de ce jour.

La Conférence, à l'exception de la Délégation chinoise, a en outre adopté la résolution suivante :

« Il a été signalé à la Conférence que, dans certains pays, le système des licences (ou de l'enregistrement) et du rationnement avait donné, en ce qui concerne la diminution du nombre des consommateurs d'opium, des résultats efficaces.

« Mais la Conférence a reconnu que dans d'autres pays, la contrebande qui égale et même dépasse le commerce licite, rend difficile l'application de ce système, et de l'avis des Gouvernements intéressés, rend même cette application inutile et parfois dangereuse.

« En conséquence, la Conférence déclare que la possibilité d'adopter ces mesures ou de les maintenir dans les territoires où elles donnent satisfaction, dépend principalement de l'extension de la contrebande.

« Elle laisse donc aux Puissances contractantes qui n'ont pas encore appliqué ce système, le soin de choisir l'époque où les circonstances permettront de l'adopter et de prendre, en attendant, toutes mesures préparatoires qu'elles jugeront convenables ».

Le Représentant de l'Empire Britannique a déclaré signer le Protocole en formulant la déclaration suivante :

« Je déclare que ma signature apposée au présent Protocole est soumise, en ce qui concerne les Protectorats Britanniques, aux conditions figurant à l'article XIII de l'Accord signé aujourd'hui ».

Le Représentant du Portugal, en signant l'Accord, a formulé les déclarations ci-après :

1) « Le Gouvernement portugais, tout en acceptant le principe du monopole, tel qu'il est formulé à l'article 1^{er}, ne s'engage en ce qui concerne la date à laquelle les mesures prévues au premier paragraphe entreront en vigueur, que sous réserve de la disposition du paragraphe 2 du même article.

2) Le Gouvernement portugais, étant lié par un contrat conforme aux dispositions de la Convention de La Haye de 1912, ne pourra mettre à exécution les stipulations du paragraphe 1 de l'article 6 du présent Accord, aussi longtemps que les obligations découlant de ce contrat persisteront. »

Le Représentant de Siam a déclaré signer l'Accord en formulant la déclaration suivante :

« La Délégation Siamoise a reçu pour instructions de signer l'Accord, réserve faite de l'article I, paragraphe 3 (a) relatif à la date à laquelle cette disposition entrera en vigueur, et réserve faite de l'article V. La raison de ces réserves a été expliquée par le Premier Délégué de Siam le 14 novembre 1924. Le Gouvernement Siamois espère mettre en vigueur le système d'enregistrement et de rationnement dans la période de trois ans; à la fin de cette période la réserve en ce qui concerne l'article I, paragraphe 3 (a) deviendra caduque ».

At a series of meetings, the Conference drew up the supplementary Agreement and the Protocol which bear this day's date.

The Conference, with the exception of the Chinese Delegation, further adopted the following Resolution :—

“It has been pointed out to the Conference that in some countries the system of licences (or registration) and rationing has been successful in diminishing the number of smokers.

“At the same time, the Conference has found that, in other countries, the contraband trade which equals and even surpasses in extent the legitimate trade, renders the application of this system difficult, and in the opinion of the Governments in question, useless and in some cases dangerous.

“Accordingly, the Conference declares that the possibility of adopting these measures or of maintaining them in those territories where they are now working successfully, depends principally upon the extent of the contraband trade.

“It therefore leaves to the Contracting Powers which have not yet applied this system the duty of selecting the moment when circumstances will allow of its adoption and of taking in the meantime all such preparatory measures as they may deem expedient”.

The Representative of the British Empire declared that he signed the Protocol subject to the following declaration :—

“I declare that my signature of this Protocol is subject, in respect of British Protectorates, to the conditions contained in Article XIII of the Agreement signed this day.”

The Representative of Portugal, on signing the Agreement, made the following declarations :—

1) “The Portuguese Government, while accepting the principle of a monopoly as formulated in Article I, does so, as regards the moment at which the measures provided for in the first paragraph thereof shall come into force, subject to the limitation contained in the second paragraph of the article.

2) “The Portuguese Government being bound by a contract consistent with the provisions of the Hague Convention of 1912, will not be able to put into operation the provisions of paragraph 1 of Article 6 of the present Agreement so long as its obligations under this contract are in force.”

The Representative of Siam declared that he signed the Agreement subject to the following declaration :—

“The Siamese Delegation is instructed to sign the Agreement under reservation of Article I, paragraph 3 (a) with regard to the time when this provision shall come into force and of Article V. The reason for these reservations has been stated by the First Delegate of Siam on the 14th November, 1924. The Siamese Government is hoping to put into force the system of registration and rationing within the period of three years. After that date, the reservation in regard to Article I, paragraph 3 (a) will fall to the ground.”

EN FOI DE QUOI les plénipotentiaires sus-nommés ont signé le présent Acte.

FAIT A GENÈVE, le onze février, mil neuf cent vingt-cinq, en un seul exemplaire qui restera déposé dans les archives du Secrétariat de la Société des Nations et dont des copies certifiées conformes seront transmises par ses soins à toutes les Puissances représentées à la Conférence.

IN WITNESS WHEREOF, the above-named plenipotentiaries have signed the present Act.

DONE AT GENEVA, the eleventh day of February, nineteen hundred and twenty-five, in a single copy which shall remain deposited in the Secretariat of the League of Nations and of which authenticated copies shall be transmitted to all the Powers represented at the Conference.

EMPIRE BRITANNIQUE

BRITISH EMPIRE

Malcolm DELEVINGNE

INDE

INDIA

Harold CLAYTON.

CHINE

CHINA

FRANCE

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