

Geneva, September 17th, 1928.

LEAGUE OF NATIONS

TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS

REPORT OF THE FIFTH COMMITTEE TO THE ASSEMBLY.

Rapporteur: Dr. W. CHODZKO (Poland).

The Advisory Committee on Traffic in Opium and other Dangerous Drugs has held two sessions since the last meeting of the Assembly, namely, the tenth (extraordinary) session, held from September 28th to October 8th, 1927, and the eleventh session, held from April 12th to 27th, 1928.

The tenth (extraordinary) session was convened by the Chairman, then Sir John Campbell (India), in virtue of the discretion conferred upon him by the resolution of the Council, dated March 11th, 1927. The primary object of the session was to consider the question of the illicit traffic, but advantage was taken of the opportunity presented to discuss various cognate questions, and to deal with certain questions which had been referred to the Committee by the Council.

With a view to combating the illicit traffic, M. Cavazzoni, the representative of Italy on the Committee, presented to the Committee for its consideration a memorandum containing an elaborate scheme for the control of the drug traffic. The Committee felt that the moment was opportune for a general examination of the question of the best methods of ensuring administrative control over the drug traffic and for the preparation of a report on the subject.

A Sub-Committee was, therefore, appointed to consider the whole question of administrative control, including a detailed study of M. Cavazzoni's memorandum. As a result of the work of the Sub-Committee, a standard set of regulations, or code for the supervision of the traffic in narcotics, embracing certain proposals put forward by M. Cavazzoni in his memorandum, was drawn up.

The Committee discussed at great length the ways and means of combating effectively the illicit traffic. With a view to rendering any form of clandestine and illicit traffic impossible, the Committee adopted a resolution requesting the Council to urge as insistently as possible upon all Governments Members of the League and Parties to the Opium Convention that all factories manufacturing dangerous drugs should either be State-owned or placed under effective Government supervision. Under either system the Governments would at least:

- (1) Regulate and require an accurate accounting of all internal traffic, including the purchase of raw materials, manufacture, sales, distribution, storage;
- (2) Strictly control the issue and possession of licences or authorisations for the manufacture, sale, distribution and storage of drugs;
- (3) Adopt and rigidly enforce the import and export certificate system;
- (4) Strictly control the export of dangerous drugs to any country which does not enforce the import and export certificate system. Where this system is not in force in the importing country, the Government of the exporting country must satisfy itself, beyond reasonable doubt, that the demand is for legitimate purposes only. This precaution is particularly important, since the readiest route which the illicit traffic can follow is through those countries which do not enforce the import and export certificate system. It is recognised that this will present various difficulties until the Central Board has been constituted; but it is imperative that such control should be exercised, as far as that is practicable, by the exporting countries until the Central Board begins to function. Experience in certain countries has shown that, even in present circumstances, a large measure of effective control can, in fact, be exercised in such cases.

Another resolution was passed, asking Governments to give all information as to the manner in which narcotic substances which have been seized are dealt with, in order that the Committee might be in a position to form an accurate idea as to the traffic.

The report of the tenth (extraordinary) session of the Committee was examined by the Council during its meeting held in December 1927, and the Secretary-General was instructed to take the necessary action in order to give effect to the resolutions adopted by the Committee. During the discussion which took place in the Council, M. Scialoja, the representative of Italy, called attention to the establishment of the Central Board, as provided for in the Geneva Convention of 1925. He suggested that the Secretariat of the Central Board ought to form part of the Social Section of the League of Nations Secretariat. This question was referred to the Advisory Committee for examination, and was dealt with at the eleventh session of the Committee, which was held in April of this year and presided over by Dr. Carrière (Switzerland).

Two opposite opinions were expressed on this point. On the one hand, M. Cavazzoni held that, in virtue of Article 23 of the Covenant, which entrusts the League with the supervision over the traffic in opium and dangerous drugs, it is not permissible to create an organisation independent of the League of Nations and the Secretariat. On the other hand, it was pointed out that M. Scialoja's proposal was not in conformity with Article 20 of the Geneva Convention, and that, while Article 23 of the Covenant entrusts the League with the supervision over the traffic in opium, this supervision should be exercised in accordance with the stipulations of the Conventions in force.

The Committee adopted by a majority a resolution stating that the Italian delegate's proposal that the Secretariat of the Central Board should form an integral part of the Secretariat of the League was in complete agreement with the stipulations of Article 20 of the Opium Convention of 1925, whereby the Secretary-General of the League of Nations is requested to provide for the control of the staff in administrative matters. The resolution further contained a statement that the proposal did not in any way affect the right, which is conferred on the Central Board, to nominate the members of its staff, who will be appointed by the Secretary-General, subject to the approval of the Council.

The Committee noted with satisfaction the steps taken by the Persian Government to limit opium-poppy cultivation in Persia, and particularly the new law published in July 1928, which constitutes an opium monopoly. This marks an important step forward on the road recommended by the League of Nations.

It appears from the documents submitted to the Committee that the position with regard to the illicit traffic is still highly unsatisfactory; that the manufacture of harmful drugs continues greatly in excess of the legitimate requirements, and that new methods of manufacture are rendering the supervision of the international traffic increasingly difficult. The situation is therefore extremely serious, if not alarming. The Committee thought that the attention of Governments should again be drawn to the various measures which the Committee had most earnestly recommended.

In order to facilitate the efforts of each individual Government to stamp out the illicit traffic, the Committee once more insisted upon the necessity of full co-operation; Governments were recommended to supply each other with all particulars necessary for enquiries with regard to persons implicated in smuggling offences, and to communicate to each other, whenever this was recognised as essential, copies of telegrams relating to the transactions of smugglers.

As regards the situation in China, attention must be called to the fact that the British Government has decided to withdraw its protection, and withhold the right to fly the British flag from any vessel proved to have been engaged in smuggling in the navigable waterways of China. The British Government should be congratulated on its important decision.

The Committee was very much concerned at the efforts of certain manufacturers to find substitutes for morphine since this alkaloid was made subject to control. One of these substitutes is benzoyl-morphine, which is already manufactured in comparatively large quantities and has been shown to possess all the properties of a drug of addiction. Moreover, the morphine contained in the benzoyl-morphine can readily be recovered, and hence quantities of morphine which will escape supervision can be put on the market. In addition to benzoyl-morphine there is a whole series of other morphine "esters", *i.e.*, combinations of morphine with an organic acid having the same properties. The danger of this situation is obvious. The Committee therefore thought it necessary to consider the possibility of applying Article 10 of the Geneva Convention to all these products. As, however, the procedure laid down under this article would still require a certain amount of time, the Committee adopted a resolution requesting the Council to draw the attention of Governments to the necessity of placing benzoyl-morphine, and possibly other similar substances, under control forthwith. In answer to a question asked by the representative of New Zealand, a statement was made to the effect that twenty-seven Governments had accepted the request made to them for the inclusion of eucodal and dicodide under the Convention.

The efforts made by a number of the signatory countries are wanting in vigour, intermittent and not sufficiently drastic to meet the present situation.

The Fifth Committee urges the delegates to devote their attention to this question, and impress upon their respective Governments the necessity for dealing immediately with the situation with which we are faced, in view of the constant efforts of the persons concerned to circumvent all laws and regulations promulgated by countries which have signed the Conventions.

Paragraph 14 (*d*) of the Hague Convention stipulates that the laws and regulations respecting the manufacture and sale of morphine shall apply also to all new derivatives of morphine or its salts and to every other opium alkaloid liable to similar abuse and productive of like ill-effects.

But it is mainly to Article 9 of the 1912 Convention and Article 5 of the 1925 Convention, concerning the limitation of manufactures, that the attention of the various Governments should be drawn.

The Committee has noted with keen interest a communication stating that the Spanish Government had decided to institute a monopoly system for the trade in drugs. We may further note, with great satisfaction, that this question was settled by a law passed on May 5th last.

A further scheme for the limitation of the manufacture of drugs was transmitted by the Government of the United States of America to the League of Nations through the Netherlands Government, and was circulated to the members of the Committee. It will be examined at its next meeting.

However, in view of the enormous difficulties which are met with in the really effective fight against the illicit traffic, the limitation of the manufacture of these drugs aimed at by the various systems and schemes examined by the Advisory Committee in the course of last year must be taken into consideration. The Committee will no doubt follow with the greatest interest the experience gained by the Spanish Government since the coming into force of its new Drug Act.

The report on the work of the eleventh session of the Advisory Committee was examined by the Council at its June session, and the Secretary-General was instructed to take action on the resolutions contained therein.

At the present moment it seems to the Fifth Committee that the most important new fact is the coming into force of the Convention of February 19th, 1925. There are now twenty-nine parties to this Convention. It appeared also, according to statements made by the delegates of Estonia, Hungary, Italy, Norway and the Kingdom of the Serbs, Croats and Slovenes, that additional ratifications may shortly be expected. It is thought that this Convention, if strictly applied, should prove a powerful instrument in the suppression of the traffic. Then, again, the Fifth Committee draws attention to the Code previously mentioned, which is based on the experiences of the manufacturing countries.

The Fifth Committee proposes the adoption of the following resolution:

“ The Assembly notes with approval the reports of the Advisory Committee on Traffic in Opium and other Dangerous Drugs on the work of its tenth and eleventh sessions, together with the resolutions contained therein. ”
