LEAGUE OF NATIONS

TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS

ANNUAL REPORTS BY GOVERNMENTS FOR 1935

PALESTINE

(Communicated by the Government of the United Kingdom.)

Note by the Secretary-General.

In accordance with Article 21 of the Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs of 1931, the Secretary-General has the honour to communicate herewith to the parties to the Convention and to other States the above-mentioned report.

(For the form of annual reports, see document O.C.1600.)

A. General.

I. Laws and Publications.

1. No new laws, orders or regulations were issued during the year.

The traffic in opium and other dangerous drugs is governed by:

(a) Dangerous Drugs Ordinance, 1925;
(b) Dangerous Drugs (Amendment) Ordinance, 1928;
(c) Dangerous Drugs Amendment Ordinance, 1932;
(d) Regulations made under Section 8 of Dangerous Drugs Ordinance, 1925, published on February 3rd, 1927;
(e) Notice published on March 21st, 1931;
(f) Notice published on October 4th, 1932.

2. (a) Dangerous Drugs Ordinance, 1925, provides for the control of the manufacture, importation, exportation, possession and trade in opium and other dangerous drugs.

(b) Dangerous Drugs Amendment Ordinance, 1928, was enacted in April 1928 to bring the Ordinance of 1925 in conformity with the recommendation of the International Opium Convention, 1925.

(c) Regulations made under Section 8 of Dangerous Drugs Ordinance, 1925, came into force in February 1927 and regulate the sale, distribution and use of opium and other dangerous drugs.

(d) Dangerous Drugs Amendment Ordinance, 1932, was enacted in December 1932 to incorporate in the legislation the recommendations of the Opium Advisory Committee of the League of Nations and of His Majesty's Government, increasing the penalties to be imposed on illicit traffickers in dangerous drugs.

(e) Notice published in March 1931, made on the recommendations of the Health Committee of the League of Nations and accepted by His Majesty's Government, bringing preparations which contain esters of morphine, dihydroxycodeinon (eucodal), dihydrocodeinone (dilaudide), dihydromorphine (dilaudide) and salts of these preparations and all preparations containing diacetylmorphine within the scope of the dangerous drugs ordinances.
(f) Notice published in October 1932, made on the recommendations of the Health Committee of the League of Nations and accepted by His Majesty’s Government, bringing acetyldihydrocodeinone (acedicone), its salts and preparations within the meaning of the dangerous drugs ordinances.

3. There are no publications, official or unofficial, likely to be of interest to the Advisory Committee.

II. Administration.

1. (a) There has been no important modification in the administrative arrangements for the execution of the international Conventions. The Director of Medical Services is concerned in the execution of the law in so far as the licit traffic is concerned, and the Inspector-General of Police and Director of Customs, Excise and Trade undertake the prevention of illicit traffic. The functions of a local representative of the central narcotics authority are vested in the Deputy Inspector-General, C.I.D., who supervises all anti-smuggling activities, including the Port and Marine Section, which patrols the coast.

(b) The dangerous drugs ordinances have been under comprehensive revision, in order to bring them into complete conformity with the recommendations of the International Opium Convention of 1931. The new ordinance was enacted in April 1936.

(c) No important difficulties are encountered in the application of the Conventions.

2. Addiction has so far not been a serious problem in Palestine, where there is only a very limited market for narcotic drugs of any kind. The most common of such drugs in this country is hashish, but addicts are few. Persons prosecuted during 1935 for being in possession or under the influence of hashish numbered about one in 7,000 of the Moslem population. Hashish is not smoked by Jews and very little by Christians. During the past three years, some seizures of opium have been made, but in every case the drug was in transit to Egypt. Very little opium is purchased in this country and there is no indication that white drugs are traded at all.

III. Control of International Trade.

1. The system of import certificates and export authorisations for the control of opium and other dangerous drugs has worked satisfactorily and no difficulties have arisen. The system is as follows:

Import.—No dangerous drug is imported into Palestine unless the person to whom the drug is consigned is in possession of a valid and subsisting import authorisation issued by the Director of Medical Services.

Every intending importer is required to submit an application to the Director of Medical Services, giving full particulars of such drugs as he intends to import and the name and address of the person from whom they are to be obtained.

An import authorisation permitting the importation into Palestine of any dangerous drugs specified therein is granted by the Director of Medical Services, subject to such conditions as he shall deem fit, to any person who may lawfully import such drug.

The Director of Medical Services also issues, in relation to the dangerous drug intended to be imported, an import certificate, which is forwarded by the intending importer to the person from whom the drug is to be obtained.

A consignment of dangerous drugs is not released by the Customs authorities in Palestine except on the production to them of the import authorisation referred to above. The Customs authority withdraws the import authorisation if and when the whole of the drugs to which it relates has been imported and, after endorsement, transmits it to the Director of Medical Services, as evidence that the importation has been effected.

The export authorisation forwarded by the competent authority of the country from which the drugs were imported is endorsed by the Director of Medical Services and returned to the issuing authority specifying the amounts actually imported.

Export.—No dangerous drug is exported from Palestine unless the consignor is in possession of a valid and subsisting export authorisation relating to such drug.

Intending exporters are required to submit an application to the Director of Medical Services accompanied by a certificate of official approval to import dangerous drugs, if any, issued by the competent authority of the country to which the drug is to be exported.

Upon the production of such certificate duly issued by the competent authority in any country, the Director of Medical Services issues an export authorisation in respect of any drug referred to in the certificate to the person named as the exporter in such certificate, provided that he is, under the provisions of the ordinances, otherwise lawfully entitled to export such drugs from Palestine. The export authorisation is prepared in triplicate, and two copies are issued to the exporter, who sends one copy with the drug to which it refers when such drug is exported. The Director sends the third copy to the appropriate authority of the country of ultimate destination.

At the time of exportation of any dangerous drug, the exporter is required to produce to the Director, Customs, Excise and Trade, or to the Postmaster-General, as the case may be, the dangerous drug, the export authorisation relating thereto, and such other evidence as he may require to satisfy him that the drug is being lawfully exported to the place and person named in the authorisation which refers to it.
Transit.—No consignment of dangerous drugs which is exported from one country to another is permitted to pass through Palestine or the ports or territorial waters thereof, unless a copy of the authorisation for export or diversion certificate, as the case may be, which accompanied the consignment, is produced to the Customs authorities for examination. This, however, does not apply to the transport of dangerous drugs by post or by aircraft.

2. No changes have been made during the year in the authority responsible for issuing import certificates, export authorisations, diversion or transit certificates. Under the existing legislation, the Director of Medical Services is the responsible authority.

3. No important modification in the conditions of issue of import certificates, export authorisations and diversion or transit certificates.

With a view, however, to the requirements of Article 10 of the International Opium Convention for limiting the Manufacture and regulating the Distribution of Narcotic Drugs, signed at Geneva on July 13th, 1931, which relates to the importation and exportation of diacetylmorphine (heroin), the system of import certificate in respect of that drug has been modified whereby consignments of diacetylmorphine, required by private persons, are consigned to the Director of Medical Services, Department of Health, in whose favour the import certificate is made out.

The order for the drugs is sent by the applicant to the firm from whom the order is to be purchased and the import certificate is forwarded direct by the Director of Medical Services to the competent authority in the country from which the drug is to be exported.

On the receipt of the drug, the Director of Medical Services transmits it to the applicant against a written and signed receipt by him.

Under the new ordinance referred to in II, (1), (b), above, the system relating to drugs in transit has been more fully detailed whereby effect is given to the recommendations contained in the International Opium Convention, 1931.

The relevant rule under the new ordinance reads as follows:

Dangerous Drugs in Transit.—(1) Where any dangerous drug in transit is accompanied by an export authorisation or diversion certificate, and the Director of Customs, Excise and Trade has reasonable grounds to believe that such authorisation or certificate is false, or that it has been obtained by fraud or wilful misrepresentation of a material particular, the Director of Customs, Excise and Trade shall seize and detain the drugs to which such authorisation or certificate relates. Upon being satisfied that such authorisation or certificate is valid or has not been obtained by fraud or misrepresentation as aforesaid, the Director of Customs, Excise and Trade shall release the drug.

(2) Where the dangerous drug in transit is not accompanied by an export authorisation or diversion certificate by reason of the fact that the drug comes from a country not a party to the Convention and the Director of Customs, Excise and Trade has reasonable grounds for believing that such drug is being conveyed in an unlawful manner or for an unlawful purpose or is in course of transit for the purpose of being imported into another country in contravention of the laws of that country, the Director of Customs, Excise and Trade shall seize and detain the drug, and shall dispose of it in the manner prescribed for forfeited goods under the Customs Ordinance No. VII of 1929.

(3) Where a dangerous drug brought into Palestine in transit is landed, or transhipped in Palestine, it shall remain under the control of the Director of Customs, Excise and Trade and shall be moved only under, and in accordance with, a removal permit in the form F set out in the schedule hereto, granted by him in pursuance of paragraph (5) hereof.

(4) Nothing in paragraphs (1), (2) and (3) of this rule shall be deemed to apply to any dangerous drug in transit by post or in transit by air if the aircraft passes over Palestine without landing, or to such quantities of dangerous drugs as may, bona fide, reasonably form part of the medical stores of any ship or aircraft.

(5) No removal permit for the transfer of any drug from the conveyance by which it is brought into Palestine in transit to any conveyance for removal out of Palestine shall be issued unless and until a valid and subsisting export authorisation or diversion certificate relating to it is produced to the Director of Customs, Excise and Trade, save that this provision shall not apply:

(a) In the case where the drug has come from a country not a party to the Convention; and

(b) To dangerous drugs in transit by post.

The Diversion of Dangerous Drugs.—(1) No person shall, except under the authority of a diversion certificate in the Form G set out in the attached schedule, cause or procure any dangerous drug brought into Palestine in transit to be diverted to any destination other than that to which it was originally consigned. In the case of any drug in transit accompanied by an export authorisation or a diversion certificate issued by a competent authority of some other country, the country to which the drug was originally consigned shall be deemed to be the country stated in such export authorisation or diversion certificate to be the country of destination.
(7) The Director of Medical Services may in his absolute discretion issue a diversion certificate in the Form "G" set out in the attached schedule in respect of any dangerous drug in transit upon production to him of a valid and subsisting certificate of official approval to import dangerous drugs issued by a competent authority in the country to which it is proposed to divert the drug, or if that country is not a party to the Convention upon such evidence as may satisfy him that the drug is to be sent in a lawful manner and for a proper purpose.

(8) A diversion certificate shall be issued in duplicate; one copy thereof shall accompany the drug when it is diverted from Palestine. Another copy shall be despatched by the Director to the proper authority in the country to which the consignment has been diverted.

(9) Upon the issue of a diversion certificate, the export authorisation or diversion certificate (if any) accompanying the drug on its arrival in Palestine shall be detained by the Director and returned to the authority issuing such authorisation or diversion certificate, together with a notification of the name of the country to which such drug has been diverted.

4. All copies of export authorisations received from exporting countries were duly returned in accordance with Article 13 (5) of the Geneva Convention of 1925.

5. No cases of forged or falsified import certificates or export authorisations came to our knowledge during the year.

6. No difficulties have arisen with regard to transit, transhipment and diversion, or with regard to free ports, free zones and bonded warehouses.

7. No import or export took place during the year with countries which have not adopted the import certificate system.

8. The possession, manufacture and importation of Indian hemp is prohibited in Palestine.

IV. International Co-operation.

1. Nil.

2. Close liaison is maintained with narcotics authorities in Syria and Egypt with beneficial results. The Syrian authorities provide information with regard to movements of hashish merchants, while the Egyptian authorities have provided a sum of money to be expended in the campaign against smugglers of drugs into Egypt. Most of this money is paid as rewards to agents whose information leads to seizures of drugs in transit.

V. Illicit Traffic.

As indicated in Sections I, 2, and IV, 2, the drug traffic in Palestine is almost wholly a transit traffic to Egypt from Syria. In previous years, large consignments of hashish were brought from Syria in sailing-boats, landed by night at remote spots in the southern part of Palestine, and thereafter transported by camels across the Sinai desert to Egypt, the hashish being concealed in the wooden frames of the saddles or sewn up in the fabric. Smuggling from Syria by land over the northern frontier of Palestine was carried out by means of camels and also by motor-car. Hiding-places were found under the seats, in the upholstery, in specially constructed boxes slung beneath the cars, and in false hoods. In one instance, a car was equipped in Jerusalem with hollow running-boards, the recesses were filled with hashish smuggled from Syria, and the car was driven over the newly-opened desert route to Cairo.

On two occasions recently, small consignments of opium were discovered on trains traveling from Haifa to El Kantara. In neither case was the opium in possession of an owner, and it appeared that arrangements had been made for some railway employee in El Kantara to collect the drug on arrival. In one case, the opium was concealed in a compartment of one of the carriages, and, in the second case, was hidden in an axle box. No special marks have been noted which might indicate the origin of the hashish and opium seized in Palestine, but it is known that the hashish was grown and prepared in Syria, and it is thought that the opium was brought into Palestine by boat from Greece or Turkey.

2. Nil.

3. During 1935, only 122 persons were prosecuted for illegal possession of narcotic drugs, of whom 103 were convicted. All offenders were of the working class. Penalties imposed were fines ranging from 300 mils to £P100, and terms of imprisonment ranging from four days to one year.

4. There are no important cases to report since submission of the 1935 annual report.

5. Total seizures of narcotic drugs during 1935 were 104 kg. 928 grm. of hashish; 34 kg. 807 grm. of opium; 93 grammes of cocaine.

6. There are four grades of hashish sold in Palestine, called Zahra, Capsh, Briji and Ikinji respectively. Prices paid to the Syrian merchants are approximately (per oke, or 500 grammes) £P3, £P2.50, £P1 and 500 mils respectively. Sale prices in Palestine, for complete slabs of one oke, are £P5, £P3, £P2 and 500 mils respectively, but if one can succeed in getting the hashish to Egypt, it can be disposed of at four or five times those prices.
VI. Other Information: including any Suggestions which might be useful either to the Advisory Committee on Traffic in Opium or to Governments.
Nil.

B. Raw Materials.

VII. Raw Opium.
It is not cultivated and its manufacture, possession and importation into Palestine are prohibited.

VIII. Coca Leaf.
Is not cultivated and its production, possession and importation into Palestine are prohibited.

IX. Indian Hemp.
Is not cultivated and its production, possession and importation into Palestine are prohibited.

C. Manufactured Drugs.

X. Internal Control of Manufactured Drugs.
Does not apply, as no dangerous drugs are manufactured in Palestine.

D. Other Questions.

XI. Chapter IV of the Hague Convention 1912.
Nil.

XII. Prepared Opium.
Prepared opium is not known in Palestine and its manufacture, possession and importation are prohibited.

XIII. Other Drugs.
Nil.