

LEAGUE OF NATIONS

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Council and the Members
of the League.)

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Geneva, June 6th ,1945.

TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS

PREPARATORY WORK FOR A CONFERENCE TO CONSIDER THE POSSIBILITY
OF LIMITING AND CONTROLLING THE CULTIVATION OF THE OPIUM POPPY
AND THE PRODUCTION OF RAW OPIUM AND CONTROLLING OTHER RAW
MATERIALS FOR THE MANUFACTURE OF OPIUM ALKALOIDS.

Measures taken by the Government of the United States of America
with a view to limiting world production of raw opium to the amount
required for strictly medicinal and scientific purposes.

Note by the Acting Secretary-General.

The Acting Secretary-General has the honour to
communicate herewith, for information, to States Members of
the League of Nations, to other States and to the Advisory
Committee on Traffic in Opium and Other Dangerous Drugs, the
following documents, transmitted to him by the Government of the
United States of America:

1. Joint Resolution adopted by the 78th Congress
(Public Law 400) requesting the President to
urge upon the Governments of those countries
where the cultivation of the poppy plant exists
the necessity of immediately limiting the
production of opium to the amount required for
strictly medicinal and scientific purposes.
 2. The texts of an exchange of notes between the
Government of the United States of America
and the Government of Afghanistan pursuant
to the above-mentioned Joint Resolution.
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1. (PUBLIC LAW 400 - 78th CONGRESS)

(Chapter 363 - 2d Session)

(H.J. Res. 241)

JOINT RESOLUTION

Requesting the President to urge upon the governments of those countries where the cultivation of the poppy plant exists the necessity of immediately limiting the production of opium to the amount required for strictly medicinal and scientific purposes.

Whereas for nearly forty years the United States of America has led the fight to destroy the illicit traffic in and nonmedical consumption of opium, as evidenced by its abolishing the opium monopoly system which it inherited in the Philippine Islands; its calling at Shanghai in 1909 the first International Commission to consider the opium problem; its suggesting the calling of the three International Opium Conferences at The Hague in 1912, 1913, 1914; its urging at the International Opium Conference of 1924 and 1925 sponsored by the League of Nations that the only effective way to suppress the demoralizing use of opium and its derivatives (heroin, morphine, and so forth) was to control the source of the evil by limiting the cultivation of the poppy plant to the legitimate medicinal and scientific needs of the world; and its further participation in the Geneva Conference of 1931 to restrict the manufacture and distribution of narcotic drugs; and

Whereas the laws of the Chinese Government strictly prohibit the cultivation of the opium poppy and the use of smoking opium in all territory under its control, and the people of China have valiantly resisted the attempts of the invading Japanese militarists to enslave them by encouraging and even compelling the cultivation and use of opium; and

Whereas final defeat of Japan will terminate the illicit traffic in narcotics which has been carried on by the Japanese military in all territories they have occupied in the Far East; and

Whereas the British and the Netherlands Governments have recently announced their decision to prohibit the use of opium for smoking and not to reestablish their government

monopolies for the sale of smoking opium in the territories formerly controlled by them in the Far East when those territories are freed from Japanese occupation, stating however that the success of their action must in the final analysis depend upon the cooperation of the opium-growing countries; and

Whereas because of our military operations in certain other areas in Asia, there are now thousands of young American citizens in countries where opium is cultivated and freely available, and other Americans are on vessels delivering war materials to those countries, which condition constitutes a real threat to the health and welfare of these Americans and affords easy opportunity for the highly profitable smuggling of opium into the United States where its use has been greatly reduced : Therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress express its conviction that this World War ought to be not an occasion for permitting expansion and spreading of illicit traffic in opium, but rather an opportunity for completely eliminating it; and be it further

Resolved, That the President be, and he hereby is, requested to approach the Governments of all opium-producing countries throughout the world, urging upon them in the interest of protecting American citizens and those of our allies and of freeing the world of an age-old evil, that they take immediate steps to limit and control the growth of the opium poppy and the production of opium and its derivatives to the amount actually required for strictly medicinal and scientific purposes.

Approved July 1, 1944.

2. EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF
THE UNITED STATES AND THE GOVERNMENT OF AFGHANISTAN.
THE UNITED STATES AND THE GOVERNMENT OF AFGHANISTAN.

The American Minister to Afghanistan, C. Van H. Engert, sent the following note, dated September 26, 1944, from Kabul, to the Minister of Foreign Affairs of Afghanistan, His Excellency Ali Mohamed Khan:

"Referring to this Legation's Memorandum of June 20, 1944, on the subject of Opium Control, I am instructed by my Government to transmit to the Royal Afghan Government the attached further Memorandum, dated September 22, 1944, in which the Government of the United States points out the desirability of limiting the production of opium all over the world to the amount required for medicinal and scientific purposes, and in which it suggests that after the war an international conference be held for the purpose of drafting a suitable convention limiting the production of raw opium and preventing the illicit traffic in opium.

"Identical suggestions are being made to each opium-producing country with which my Government has friendly relations.

"I avail myself of this opportunity to renew to Your Excellency the expression of my highest consideration."

The memorandum transmitted from the Government of the United States to the Government of Afghanistan follows:

M E M O R A N D U M

With further reference to the Legation's Memorandum of June 20, 1944, there is transmitted to the Royal Government of Afghanistan a copy of Public Law 400, Seventy-eighth Congress of the United States of America, approved on July 1, 1944. In compliance therewith the Government of the United States urges the Government of Afghanistan to take steps to limit the production of opium in Afghanistan to the amount required for medicinal and scientific purposes.

As the Government of Afghanistan is aware, the Governments of the United Kingdom and the Netherlands, after pursuing for many years a policy of gradual suppression of the use of smoking opium, announced on November 10, 1943, their decisions to prohibit the use of smoking opium in their Far Eastern territories when those territories are freed from Japanese occupation and not to reestablish their opium monopolies. Copies of those announcements, together with the statements made by spokesmen of the United States and Chinese Governments on November 10 and 24, 1943, respectively, were attached to this Legation's above-mentioned Memorandum of June 20, 1944. Following the surrender of Japan, this Government, in co-operation with other interested Governments, will do everything possible to prevent Japan and the Japanese from spreading the use of narcotics for the satisfaction of addiction.

After the war, as a result of the decisions of the British and Netherlands Governments and the uncompromising attitude of the Chinese and United States Governments, there will be no

* Not reproduced here.

legitimate market for smoking opium in a vast Far Eastern area. Consequently, in future, exports of opium will have to be limited to the demands of the world market for opium for medicinal and scientific requirements.

This Government concurs in the opinion of the British Government, as stated in its announcement of November 10, 1943, in regard to the prohibition of smoking opium in the Far East that "The success of the enforcement of prohibition will depend on the steps taken to limit and control the production of opium in other countries." In this connection the total requirements of the world for raw opium for the years 1933 to 1938, as computed from the League of Nations documents O.C. 1781 (1), August 27, 1940, and O.C. 1753, April 15, 1939, are reproduced below:

	<u>For manufactured narcotic drugs</u>	<u>For prepared opium</u>	<u>Total Kilograms</u>
1933	227,494	297,325	524,819
1934	245,201	348,503	593,704
1935	255,808	326,047	581,855
1936	323,114	345,949	668,063
1937	343,841	390,148	733,989
1938	312,832	374,248	687,080

During the period immediately after the war, it is estimated that the world market for opium for medicinal and scientific purposes will require about 400,000 kilograms of opium, whereas world production of raw opium for the year 1944 has been estimated by experts of this Government, in the absence of exact figures, as amounting to about 2,400,000 kilograms. There is also an estimated production in Central Europe of morphine direct from poppy straw, totalling about 8,500 kilograms.

The United States Government believes that it is necessary to limit and control the cultivation of the opium poppy in order to suppress drug addiction and the illicit traffic, and is prepared to co-operate with all nations in efforts to solve the problem. It hopes that Afghanistan and all other opium-producing countries will be willing to participate in a conference which is expected to be held after the war for the purpose of drafting a suitable poppy limitation convention, preparations for which were undertaken several years ago by the Opium Advisory Committee.

In the hope of expediting and promoting agreement, the United States Government suggests that the proposed convention should contain provisions:

1. Stating in clear language that its objectives are (a) to suppress the abuse of narcotic drugs, and (b) to supplement the Hague Opium Convention of 1912.
2. Restricting the cultivation of opium poppies for the production of raw opium to the countries which have been producing opium in quantity for many years, and restricting the number of countries which may export opium to not more than five of the largest producers.
3. Restricting the cultivation of opium poppies for the direct extraction of morphine to present or lower levels, and prohibiting the exportation of any of the extracted morphine.

4. Establishing a Control Body consisting of not more than seven members who shall have adequate powers to enforce compliance with their decisions.

5. Requiring all countries and territories to submit estimates of their requirements for raw opium annually to the Control Body.

6. Specifying that each opium producing-exporting country be allotted by the Control Body an annual production and export quota.

7. Requiring all importing countries and territories to buy in a given year the quantities of opium estimated as needed for that year.

8. Assuring to the producer a fair return.

9. Requiring the standardization of opium by all producers.

10. Requiring the licensing and complete control of all cultivators by the national authorities, with the submission annually of accurate statistics covering the area cultivated and the quantity of opium produced.

11. Incorporating a system of complete and absolute government control over the distribution of opium and any products of the poppy containing morphine, and over all stocks of opium.

12. Stipulating that the parties to the proposed convention which are not parties to the Geneva Drug Convention of 1925 agree to apply Chapter V of the latter convention, which sets up a system of import permits and export authorizations for the control of the international trade in opium and other dangerous drugs.

13. Prohibiting a producing country which becomes a party to the convention from supplying, directly or indirectly, consuming countries which have not become parties to the convention, and prohibiting consuming countries which become parties to the convention from buying from producing countries which have not become parties to the convention.

14. Stipulating that opium coming from States which are not parties to the convention shall not be allowed to pass through the territory of parties to the convention.

15. Calling for the prohibition of the manufacture, importation, exportation, and use of smoking opium, and the closing of opium monopolies.

16. Stipulating that a consuming country, either in the event of a demonstrated discrimination against a consuming country in the matter of supply, or in the event of an emergency arising which interferes with or closes the existing source of supply of the said consuming country, may become a producing country, but only with the consent of the Control Body.

17. Insuring the absolute and complete independence of the Control Body.

18. Establishing a businesslike and specific arrangement whereby the parties to the convention accept responsibility for, and agree to pay each their fair share of, the cost of implementation through machinery set up by the convention.

The Government of Afghanistan will doubtless concur that only an international agreement limiting the production of raw opium and restricting the production of poppy straw for the direct extraction of morphine, can protect the international market for raw opium against the competition which would result were poppy straw to be produced not only in the countries where it is now being produced but in many other countries also. One of the aims of United States policy is to have poppy straw production frozen at present or lower levels. This objective will be strongly supported at the contemplated poppy limitation conference.

Pending the entering into effect of an international poppy limitation convention, this Government suggests that it would be helpful if the Government of Afghanistan would give immediate consideration to the advisability of announcing at the earliest possible moment that it will hereafter prohibit the production and export of opium for other than strictly medicinal and scientific purposes, and will take effective measures to prevent illicit production of opium in its territories and illicit traffic in opium from its territories.

The Government of the United States is now making this same suggestion to each opium-producing country with which it has friendly relations. It believes that the adoption of such a policy by each of those countries would go far to ensure the success of the prohibition of the use of prepared opium in the Far East, and to safeguard all countries against the possibility of an era of increased drug addiction similar to that which followed the first World War. It may be pointed out that if most of the opium-producing countries were to make sacrifices for the common good by limiting production to an authorized proportion of the total quantity of opium required by the world for medicinal and scientific purposes, and one country were to continue to produce large quantities annually for its own non-medical use, the law of supply and demand would inevitably cause such a reservoir to be drawn upon by illicit traffickers for their supplies.

It would be appreciated if the Royal Government of Afghanistan would inform the Government of the United States at an early date whether it is prepared to make the suggested announcement concerning the limitation of the production of opium to medicinal and scientific requirements. It would also be appreciated if the Government of Afghanistan would communicate to this Government its observations in regard to the provisions which this Government has suggested be incorporated in the proposed poppy limitation convention.

KABUL, September 22, 1944.

A translation of the note, dated November 11, 1944 (Akrah 19, 1323), from the Ministry of Foreign Affairs, Division of Internal Affairs, replying to the note of the American Minister to Afghanistan follows:

No. 649/349.

The Royal Afghan Ministry of Foreign Affairs presents its compliments and, referring to the Legation's note No. 459 of September 26, 1944, has the honor to state that, following upon the request of the Legation, this Ministry has received information from the Department of Agriculture that the Ministry of National Economy recently reported to the Council of Ministers concerning the difficulties with respect to the cultivation of and trade in opium and, after compliance with the legal requirements, has received the following resolution of the Council of Ministers on the subject:

"Although opium is considered one of the export products which enjoy a ready and profitable market abroad at present, its cultivation in view of the non-existence of the necessary controlling organizations, has evil effects, both morally and materially, upon the public health. For this reason the Council of Ministers has passed a resolution that the cultivation of opium be prohibited as from the beginning of 1324 (March 21, 1945). The Ministry of National Economy should notify, by means of signed orders of the Prime Minister and the publication of notices in the press, all provinces and districts of the prohibition of opium cultivation."

This prohibition of opium cultivation in Afghanistan, which has been approved by the higher authorities, is communicated to the Legation in order that the information may be conveyed to the competent United States Government Departments. The decision has already been published in No. 3974 of the Islah as a general notice of the Ministry of National Economy.
