Communicated to the Council and Members of the League.

Geneva, November 24th, 1934.

MEASURES RESULTING FROM THE NON-RECOGNITION OF "MANCHUKUO".

Note by the Secretary-General

The Secretary-General, after consulting the Chairman of the Advisory Committee set up by the Special Assembly summoned at the Chinese Government's request under Article 15 of the Covenant, has the honour to communicate for the information of the Members of the League and of the members of the above-mentioned Committee:

1. A summary of the replies received regarding the question of postal traffic through Manchuria.

2. a. Suggestions made by the Chairman of the Advisory Committee appointed by the Special Assembly in regard to a letter from the Chinese Government concerning the export of opium and other narcotic drugs to Manchuria and Jehol (see C.188.M.77.1934); these suggestions were approved by the Committee on May 16th, 1934.

b. Letter from the Secretary-General, dated May 17th, 1934, to the Chairman of the Advisory Committee on Traffic in Opium and Other Dangerous Drugs.

c. Reply, dated June 4th, 1934, from the Advisory Committee on Traffic in Opium and Other Dangerous Drugs to the Secretary-General (Annex: Minutes of the meeting held by the Committee on May 31st, 1934).

SUMMARY OF THE REPLIES RECEIVED REGARDING THE QUESTION OF POSTAL TRAFFIC THROUGH MANCHURIA.

(a) Communications from Members of the League belonging to the Advisory Committee on the date of the despatch of Circular C.L.92(a).1934 (June 4th, 1934)*

In Circular C.L.92(a).1934, sent to those Members of the League who belonged to the Advisory Committee, the

* On the date of the despatch of Circular C.L.92(a).1934, the following Governments were members of the Advisory Committee:

- Argentine
- Australia
- Belgium
- United Kingdom
- Canada
- Colombia
- Czechoslovakia
- Denmark
- France
- Germany
- Hungary
- Italy
- Mexico
- Netherlands
- Poland
- Portugal
- Spain
- Sweden
- Switzerland
- Turkey

The United States of America were also represented on the Advisory Committee, subject to the conditions indicated in the letter from the Secretary of State dated March 11th, 1933 (Document A./Extr.39.1933.VII).
Secretary-General said:

"As your Government was represented on the Advisory Committee which drew up this circular, the Committee assumes, unless your Government informs the Secretary-General to the contrary, that that Government will be prepared to comply in so far as it is concerned with the recommendations embodied therein."

The Government of the Argentine replied on September 24th that the Director-General of Posts and Telegraphs had been advised to comply with the Committee's recommendations, and that the Under-Secretariat for Foreign Affairs would communicate in due course the decision finally adopted on the subject.

In its communication of August 14th, the Government of Spain states that it accepts the Committee's recommendations adding that this is the sole means of continuing to utilise the Trans-Siberian railway route for forwarding correspondence to the Far East, it being nevertheless understood that the relations thus established are of a purely administrative nature and hence do not involve the recognition of "Manchukuo" by the Spanish Government.

The Government of Hungary replied on August 31st that it agreed with the Advisory Committee's point of view on the question of postal transit through Manchuria.

(b) Communications from Members of the League not belonging to the Advisory Committee on the date of the despatch of Circular C.L.92.1934 (June 4th, 1934).

Circular C.L.92.1934, sent by the Secretary-General to those Members of the League who did not belong to the Advisory Committee, contained the following paragraph:

"The Advisory Committee feels sure that in view of the recommendations embodied in the aforesaid report of the Assembly, your Government will be prepared, in so far as it is concerned, to comply with the recommendations embodied in the circular. The Committee would, however, be grateful if your Government would kindly inform the Secretary-General as soon as possible of its decision in the matter."

Although no mails originating in the Union of South Africa traverse Manchuria, the Government of the Union of South Africa informed the Secretary-General on July 30th that the Advisory Committee's recommendations were acceptable to it.

The Federal Government of Austria, in its letter of July 5th, informed the Secretariat that the General Post Office, to which Circular C.L.92 had been communicated, would strictly conform with the principles laid down by the League of Nations in 1933. As regarded postal transit through Manchuria, the Austrian Postal Administration was on
the point of settling that question, while making the reservation recommended by the Advisory Committee under No.3 of its circular of May 16th.

The Government of Bulgaria stated, in a note dated July 27th, that Bulgaria maintained no postal relations with Manchuria, but that the authorities concerned would comply with the recommendations contained in the circular in question.

In its communication of June 6th, the Government of Estonia signified its acceptance of the measures recommended by the Advisory Committee regarding postal transit through Manchuria.

The Government of India signified on September 6th that it associated itself with the attitude taken up by the United Kingdom in the matter.

While mentioning that no mails from the Irish Free State are forwarded by way of Manchuria, and that therefore the question of the payment of transit rates does not arise so far as the postal administration of the Irish Free State is concerned, the Government of the Irish Free State signified on June 26th that it would be prepared, should the question arise, to conform to the recommendations embodied in the circular concerning postal transit through Manchuria.

The Government of Latvia, in its letter of July 21st, stated that the Latvian Postal Administration had accepted in October last the suggestion of the Department of Communications of "Manchukuo" regarding the payment of transit rates in connection with postal traffic through Manchuria, it being understood, however, that the relations thus established were of a purely technical nature and simply aimed at ensuring the efficient administration of the postal services.

The Government of Lithuania, while stating that all correspondence despatched from Lithuania to destinations in the Far East was sent to Moscow, and that the Lithuanian postal administration did not enter into relations with the postal administration of Manchuria, stated on June 21st that the Board of Management of the Postal Service would comply, should occasion arise, with the recommendations contained in the Advisory Committee's circular.

On July 16th, the Government of Nicaragua informed the Secretariat that it would comply with the recommendations contained in the Advisory Committee's circular.

On November 19th, 1934, the Government of Norway announced that the Post Administration had decided to carry out the recommendations of the Advisory Committee in regard to postal traffic through Manchuria.

The Government of Venezuela signified on June 27th its acceptance of the recommendations made by the Advisory Committee, adding that it had no objection to make in that connection.
(c) Communications received from States which were not Members of the League on the date of the despatch of circular C.L.92. 1934 (June 4th 1934).

The Government of the Union of Soviet Socialist Republics stated in its note of July 4th that at the request of several postal administrations, including those of France and the United Kingdom, the postal authorities of the U.S.S.R. had agreed to despatch the mails in transit of those countries to China via Manchuria, without, however, assuming any responsibility therefor, and that the same authorities had announced that they were in a position to forward, on the same conditions and by the same route, the mails in transit of any other countries which so desired.

(d) Communications received from States not Members of the League.

The Government of the United States of America informed the Secretary-General in a note dated July 19th that it had taken note of the recommendations embodied in the report adopted on May 16th by the Advisory Committee. If any action affecting Manchuria should become necessary for the maintenance of adequate postal services, the American Postal Administration will be prepared to confirm such action to the recommendations embodied in the report.

2.

(a) Suggestions made by the Chairman of the Advisory Committee appointed by the Special Assembly in regard to a letter from the Chinese Government concerning the export of opium and other dangerous drugs to Manchuria and Jehol (see doc. C.188.M.77.1934); these suggestions were approved by the Committee on May 16th, 1934.

The letter from the representative of China* contains various remarks and suggestions connected with paragraph VII of the Recommendations adopted by the Advisory Committee. That paragraph reads as follows:

"With reference to the Geneva Opium Convention of 1925, Chapter V, the Committee recommends to Members of the League and to interested States non-Members that applications for the export to "Manchukuo" territory of opium or other dangerous drugs should not be granted unless the applicant produces an import certificate in accordance with the Convention of such a nature as to satisfy the Government to which application is made that the goods in question are not to be imported into "Manchukuo" territory for a purpose which is contrary to the Convention. A copy of the export authorisation should accompany the consignment, but Governments should refrain from forwarding a second copy of the export authorisation to "Manchukuo", since such action might be interpreted as a de facto recognition of "Manchukuo".

* Document C.188.M.77.1934.
Before the Advisory Committee is able to decide whether it will or will not reconsider the question dealt with in the paragraph quoted above, it seems advisable to remind it of the outcome of certain discussions in the Opium Advisory Committee and in the Council of the League on this question since the adoption of the text of those recommendations by the Advisory Committee of the Assembly. No question seems to arise at the present moment in regard to raw or prepared opium; for, after discussions in the Opium Advisory Committee, the Council, at its 78th session, pronounced, on the proposal of its Rapporteur, that "it is understood that, in accordance with Articles 3, 8 and 15 of the Hague Convention of 1912, exports of opium (raw and prepared) to the territory in question cannot be authorised", and decided that "the Secretary-General, in his letter to the Governments, should draw their attention to that point". Circulars in accordance with the Council's decision were sent by the Secretary-General on March 19th, 1934, to the principal producing and manufacturing countries and to all the States parties to the Hague Convention of 1912.

With regard to narcotics, the Chinese Government apparently proposes that all exports to Manchuria and Jehol should be prohibited, and subsidiarily that, should it be really necessary for narcotics from foreign countries to be imported into these territories, a modified system of control by means of import certificates issued by the consular representatives in Manchuria should be introduced.

It should be observed that a proposal that the Members of the League and the non-Member States interested should be recommended not to grant applications for the export of opium or other dangerous drugs to "Manchukuo" territory, which was laid before the Opium Advisory Committee, was rejected. That being the case, there would seem to be no point in discussing an identical proposal at this juncture.

On the other hand, the Opium Advisory Committee has never yet had occasion to give an opinion on the possibility of instituting a modified system of control over imports of narcotics into Manchuria and Jehol by means of import certificates issued by consular representatives.

The following request might accordingly be made to the Opium Advisory Committee: "A proposal for securing control over exports of narcotics to Manchuria and Jehol by means of import certificates issued by the consular representatives of the exporting countries in Manchuria has been laid before the Advisory Committee of the Assembly; that Committee would be glad if the Opium Advisory Committee would consider this proposal from the technical standpoint and make any observations or recommendations on the subject that may fall within its province".

Subsequently, after examining the results of the Opium Advisory Committee's discussions, the Chairman of the Advisory Committee of the Assembly would consider whether the question should be laid before that Committee.
b. Letter from the Secretary-General, dated May 17th, 1934, to the Chairman of the Advisory Committee on Traffic in Opium and other Dangerous Drugs.


Sir,

On May 14th and 16th, 1934, the Advisory Committee appointed by the Special Assembly convened in virtue of Article 15 of the Covenant at the request of the Chinese Government, considered a question raised by a letter from the Chinese Government dated May 1st, 1934, concerning control over exports of narcotic drugs to Manchuria and Jehol by means of import certificates issued by the consular representatives of the exporting countries in Manchuria (See Document C.108.X.77.1934 attached). On May 16th the Advisory Committee approved certain suggestions by its Chairman in regard to the manner of dealing with the question raised by the Chinese Government, and I enclose a copy of these suggestions (See 2a).

Accordingly I have the honour to ask you to be good enough to place this matter before the Advisory Committee on Traffic in Opium and other Dangerous Drugs in order that it may consider the proposal made by the Chinese Government from the technical standpoint and make any observations or recommendations on the subject that may fall within its province.

I should be grateful if this matter could be dealt with by the Opium Advisory Committee during its Eighteenth Session.

I have the honour, etc.

(Signed) PILOTTO

For the Secretary-General.

c. Reply, dated June 4th, 1934, from the Advisory Committee on Traffic in Opium and other Dangerous Drugs, to the Secretary-General. (Annex: Minutes of the meeting held by the Committee on May 31st, 1934).

Geneva, June 4th, 1934.

Sir,

I have the honour to refer to your letter of May 17th, 1934, regarding a request by the Advisory Committee appointed by the Special Assembly convened under Article 15 of the Covenant for the opinion of the Opium Advisory Committee in regard to a proposal made by the Chinese Government concerning the application of the import certificate system to shipments of drugs to Manchuria and Jehol, the territory also known as "Manchukuo". This matter was discussed by the Advisory Committee on Traffic in Opium and Other Dangerous Drugs at its meeting on May 31st, 1934 (Eighteenth Session), and the Committee unanimously adopted the following resolution:
"The Committee is of opinion that, from the technical standpoint, a system of consular certificates does not provide the safeguards or the information which the system of import certificates, as laid down in the Geneva Convention of 1925 and extended by the Limitation Convention of 1931, is intended to secure.

"The question has been raised by whom import certificates should be issued; this is a question which is within the competence of the Advisory Committee appointed by the Special Assembly under Article 15 of the Covenant, and on which, therefore, the Advisory Committee does not express an opinion".

In accordance with the decision of the Advisory Committee, I have the honour to ask you to be good enough to communicate this resolution to the Advisory Committee appointed by the Special Assembly, together with the minutes containing the discussion of this matter by the Opium Advisory Committee, copies of which I enclose.

I have the honour, etc.

(Signed) Dr. Schultz,

CHAIRMAN,
Advisory Committee on Traffic in Opium and other Dangerous Drugs.
955. APPLICATION OF THE IMPORT CERTIFICATE SYSTEM TO EXPORTS
OF NARCOTIC DRUGS TO MANCHURIA AND JEHOL ("MANCHUKUO")
(Document O.C./Confidential/4).

The CHAIRMAN read the letter of May 17th from the Secretary-General to the Chairman of the Committee and drew attention to the fact that the Committee was to examine the question purely from the technical standpoint.

M. YOKOYAMA (Japan) said that, as regards the import certificates required for authorising the export of narcotic drugs to "Manchukuo" he had thought that, as a result of the long discussions which had taken place in the Committee at the session in October 1933, a definite solution had been reached with the approval of all the members of the Committee. But Mr. Wellington Koo, acting on behalf of the Chinese Government from a political point of view, had sent a fresh note to the Secretary-General of the League of Nations, asking for a change in the unanimous decision reached by the Committee. The Chinese note had been recently examined by the Advisory Committee appointed by the Special Assembly for the Sino-Japanese conflict, and had just been referred to the Opium Advisory Committee for consideration.

The suggestions made by the Chairman of the Advisory Committee on the Sino-Japanese conflict (see A.Extr./Comité Consultatif/2) dealt with the two following points: (1) raw and prepared opium, (2) narcotic drugs.

As regards the first point, the Japanese delegation replied on May 22nd to the circular letter of March 19th. M. Yokoyama read the letter of May 22nd, which was to the effect that Japan could not agree that exports of opium should not be authorized to the "Manchukuo" territory and that it considered certificates valid if they were in accordance with the Convention.
As regards narcotic drugs, the Committee had before it the new Chinese proposal for a modified system of control by means of import certificates issued by the consular representatives in "Manchukuo". On this subject he would submit the two following observations for the careful consideration of the Committee:

1. Speaking from the technical point of view and as an expert on the Advisory Committee, he doubted very much whether the consuls were qualified to issue such certificates. They would be obliged to ask the opinion of the competent authorities of the State of "Manchukuo" as to the legitimacy of the import of any of these drugs.

On the other hand, it was a question whether "Manchukuo" itself could accept such a solution. If not, the solution would remain a dead letter and would serve no purpose. He did not think the "Manchukuo" Government would accept this new system, because he understood it was preparing a new law relating to the control over narcotic drugs and that the system in question would not be compatible with the stipulations of the new law.

2. Speaking from a general point of view and bearing in mind his responsibility as a delegate of the Japanese Government, he wished to state that, if the Committee accepted the new Chinese proposal, Japan would have to consider that it had also approved all the motives which had inspired it. These motives were very clearly explained by Mr. Wellington Koo's letter reproduced in document C.186.M.77.1934. On this subject he would speak very frankly in order to avoid any misunderstanding.

The representative of the Manchuria Government, Mr. Wellington Koo, stated that his Government viewed with great concern the growing menace caused by the vast accumulated stocks of opium in "Manchukuo" and the increased production under official encouragement. The letter added: "Notwithstanding the adoption of new measures to encourage the use of opium, Manchuria and Jehol cannot themselves absorb the opium which is to be grown under the new monopoly. The surplus can only be destined for illicit introduction into other parts of China." The letter went further by stating that "... along with the avowed object of raising money, the new official monopoly appears also have been inspired by a deeper purpose of weakening the spirit and morale of the Chinese people by further spreading addiction among them in the adjoining provinces of China proper as well as in Manchuria and Jehol." He regretted that Dr. Koo had not been consulted before this letter was sent since, as a member of the Advisory Committee, he might have been of a different opinion.

Mr. Yokoyama suggested that, if the Committee was prepared to accept these insinuations as justified, it must certainly realise the unfortunate consequences which such an acceptance might have in future on the co-operation of Japan in the work of the Committee, since everyone would be aware that these insinuations were clearly aimed at Japan whom China held responsible.
The present state of "Manchukuo" as regards the consumption of opium and other dangerous drugs was merely a deplorable inheritance from the former regime and was, moreover, identical with that which at present existed in China proper. No one was ignorant of the position of that territory under the former regime and he did not need to describe it. In this connection, he referred to a book entitled "Japanese, Chinese, Brigands" written by a former German adviser in China. The present position in China was more than alarming as had been seen by the recent discussions in the Committee. He might draw the Committee's attention to articles published recently by Maurice Dekobra in the French newspaper "Le Journal" under the titles of "Miracle d'Opium" and "Bootleggers du Pavot". These articles stated that, if there was any menace to be feared, it came from China, and it was "Manchukuo" which was exposed to it. Maurice Dekobra found it difficult to believe the Chinese delegate when he presented at Geneva a request for co-operation. Dekobra was a novelist and possibly prone to exaggeration.

At a previous meeting, M. Cavazzoni had stated that the position in the Far East was becoming more and more obscure. Personally, M. Yokoyama was rather optimistic, especially as regarded the port lying to the north of the Great Wall, for the following reasons.

At the last session, the Committee expressed a desire to ascertain, as far as possible, the position existing in "Manchukuo". On that occasion M. Yokoyama had stated that he would do his best to obtain this information by the means at his disposal. He had succeeded. In the first place, he had recently learned that the Government of "Manchukuo" would very shortly publish a complete report on the problem of the struggle against drug addiction in its territory. He had communicated the provisions of the laws governing the new opium monopoly in force in the territory to the Secretary-General of the League on May 12th, 1934. On the same date he had sent to the Director of the Opium Section an extract from the "Manchukuo" Yearbook for 1933 which described the essential characteristics of the new "Manchukuo" monopoly. M. Yokoyama read an extract from this document which would shortly be distributed. The new regulations took account of the opium addicts and aimed at the gradual suppression of opium smoking. They also provided for an educational campaign.

He wished to state that the Japanese officials appointed by the new Government as technical advisers were all animated with the humanitarian idea which impelled Japan herself to institute in Formosa and in Corea, as well as in the leased territory of Kwantung, a rational monopoly regime which aimed at the gradual diminution of the use of opium and other dangerous drugs. The declaration by the Prime Minister of "Manchukuo" which he had just read appeared to show that the Government was decided to pursue the huge task of protecting the population against the menace arising out of the pernicious legacy of the former regime.

It was inevitable, however, that in the period of transition, certain errors should creep in and compromise the desired result. He had learned from Japanese friends who were employed as advisers in "Manchukuo" that they were
errata and that efforts would be made to rectify them. It should be remembered that the brilliant results obtained in the struggle against drug addiction in the territories of Formosa and Chosen had only been reached after many years of indefatigable effort. In the territory of "Manchukuo", which was at least four times as great as Formosa and Chosen together, even greater difficulties must be expected. Patience and perseverance were therefore required.

It was unnecessary to emphasize the fact that no one in "Manchukuo" intended to poison the whole Chinese population inside or outside its territory. In this connection, it would suffice to remind the Committee of the statement which he had made recently on the anti-addiction propaganda carried out by the Japanese authorities in Chosen.

He would therefore ask the Committee to express its opinion on the Chinese proposal in the light of the points which he had raised.

M. Yokoyama would take the opportunity of replying to the remarks made at the fourteenth meeting by Mr. Lyall regarding the illicit importation of a large quantity of benzoylmorphine discovered at Dairen, in the leased territory of Kwantung. Mr. Lyall had pointed out that the penalties inflicted on these traffickers were too mild in comparison with the quantity of drugs imported. In this connection he would remind the Committee that Japan had decided to supervise and control all the derivatives of morphine as narcotic drugs even before ratifying the Geneva Convention of 1925. These traffickers had been arrested under an ordinance issued before that Convention came into force. He would also point out that the manufacturers and exporters of the drugs, who were as much responsible as the traffickers, had remained unpunished. He wished to emphasize the fact that the importers were punished while the manufacturers and exporters in Europe remained untouched.

He did not think the Committee could have any doubt whatever as to the goodwill of Japan in cooperation with the Committee in the struggle against opium and other dangerous drugs and he was sure the Committee fully realized the effect which its vote might have on the future of that cooperation.

The CHAIRMAN thanked M. Yokoyama for his declaration and added that the Committee clearly attached the highest importance to the collaboration of the Japanese Government. As to the opinion to be given, he was sure that it would be dictated only by reasons which were purely technical in character.

Sir Malcolm DELEVININGE (United Kingdom) presumed that the Committee remained of the opinion it held last autumn, that it was not desirable or right that the population of "Manchukuo", numbering many millions, should be prevented from obtaining from abroad any medical supplies containing drugs which it might need. This Committee was concerned with the technical standpoint only, the political situation being entirely outside its scope. The only question therefore for the Committee to consider was whether the suggested procedure would provide for the effective control of importation of the drugs into Manchuria.
What was the object of the "import certificate" system, and what was it designed to secure? The object was to secure (1) that drugs should only enter a country with the express permission of the responsible authorities of that country and (2) that those authorities should give the assurance that the drugs were required solely for medical or scientific purposes. He would point out a difference between Mr. Wellington Koo's letter and the reference from the Sino-Japanese Committee. Mr. Koo spoke of the "consular representatives" simply, while the Sino-Japanese Committee spoke of the "Consular representatives of the exporting countries." It was not clear whether the Sino-Japanese Committee's modification of Mr. Koo's suggestion was intentional or not. Mr. Koo's suggestion admitted of the interpretation that by "consular representatives" he meant consular representatives of the foreign nationals in Manchuria desirous of importing drugs into Manchuria. He would consider both cases.

He would submit three comments for the consideration of the Committee:

(1) Could the consular representatives do more than certify that the importer, if one of their nationals, was a person of good reputation and could reasonably be trusted? So far as he was aware they did not in the case of business firms exercise any control or supervision over the conduct of the business such as the authorities of a country were required by the Convention to exercise over the drug trade in their territory, which constituted the value of the import certificate system.

(2) The consular representatives could speak only for their own nationals. The consular representatives of the exporting countries were in no position, as a general rule, to give assurances about the foreign nationals of other countries, or about nationals of Manchuria itself. Would this Committee ever have considered that a system of import certificates issued by the consular representatives of the exporting countries constituted a satisfactory guarantee for the legitimate use of the drugs exported? It was sufficient surely merely to ask the question. On the other hand, if the other interpretation were adopted, neither the nationals of countries which had no consular representatives in Manchuria, nor the nationals of Manchuria itself, would be able to import drugs.

(3) What validity would import certificates issued by consular representatives have, vis-a-vis the Manchurian authorities, as authorisations to import? In China itself certificates were issued by the Chinese Maritime Customs. The Chinese reply, summarised on page 16 of Document O.C.1535 (Analytical Study of the Forms in use by Governments in application of the Import Certificate and Export Authorisation System) said that those certificates were not required for drugs imported from the United Kingdom or the United States of America, but in the case of other countries they were required, and the practice of Great Britain at any rate was not to sanction exports except on such certificates.
The decision to allow the import rested in fact with the authorities of Manchuria. What was likely to be the attitude of those authorities? Would they not regard the proposed change of policy on the part of the League as a deliberate affront and refuse to recognise the consular certificates? That refusal no doubt was what some would like to see, but it would amount to that very deprivation of the inhabitants of Manchuria of medical supplies against which this Committee at its last session definitely decided. He did not think the Committee desired to see this result, or would wish to assume any responsibility for it.

He would therefore urge that the Committee should submit the foregoing considerations to the Sino-Japanese Committee and recommend that that Committee's decision of last year should be allowed to stand.

He had confined himself strictly to the question referred to the Committee. The Committee had not examined again at the present session the general question which it had considered at the last session, and on which it had made certain recommendations. Unless a general discussion was started he did not propose to say anything at present on the general position, or on the action — or want of it — which had followed the Committee's recommendations.

M. de VASCONCELLOS (Portugal) said that Sir Malcolm Delevingne had shown that the question was not ripe for technical discussion. He agreed with his remarks.

M. BOURGOIS (France) said the Committee had dealt with two questions, namely, opium and manufactured drugs. The Committee's view in respect of opium did not seem to have been questioned by the Chinese Government. As regards drugs, if the problem were difficult from a political point of view, it was of very little importance from the technical point of view, as the quantities involved were extremely small. The population of Manchuria was 30/40 millions, while that of China was 400 millions. The estimated requirements of China were 100 kg. of morphine, 20 kg. of heroin and 35 kg. of cocaine. Manchurian requirements would therefore be of the order of 10 kg. of morphine, 2 kg. of heroin and 3.5 kg. of cocaine. He thought that in these circumstances the solution contemplated at the last session should be retained.

Dr. H00 Chi-Tsai (China), referring to the Japanese letter of May 22nd, noted that Japan interpreted the Convention differently from other Powers and considered that opium could be sent freely to Manchuria.

With regard to the motives which M. Yokoyama had quoted from Mr. Koo's letter, he could say that he entirely agreed with them. The accumulated stock of opium in Manchuria was regarded by the entire Committee as a menace not only for China but for the whole world. The surplus could only be destined for illicit introduction into other parts of China or other countries. The last motive mentioned, namely the weakening of the spirit and moral of the Chinese people, was not stated as a definite affirmation since the wording used was "the new official monopoly appears also to have been inspired by a deeper purpose". Any country in the position of China would take the same view. Most of the illicit traffic in drugs was carried on by Japanese, and when they were convicted they got away with very light penalties that
had no deterrent effect whatever. The Chinese Government and the Committee had repeatedly demanded severer penalties, but this request had not been granted. He therefore thought that, as long as the Japanese Government would take no action to raise the penalties and to enforce them, one was quite justified in holding the view expressed in Dr. Koo's letter.

M. Yokoyama had said that Japan was not responsible for Manchuria and only sent advisors with no executive power. In spite of this he had stated that his Japanese friends recognised their errors and would rectify them. This showed that they were responsible.

M. Yokoyama had further stated that the present position was a heritage of the past, and had quoted a book "Japanese, Chinese, Brigands". This book had been written by a teacher of gymnastics, a fact which showed what value could be attached to its views on narcotics. M. Yokoyama had further quoted articles by Maurice Dekobra. The Committee had frequently had occasion to point out that no importance should be attached to such newspaper articles, and M. Yokoyama himself had stated that Dekobra was a novelist, and possibly exaggerated.

Dr. Koo did not understand why this writer should reproach him for asking for co-operation in China. The Committee, including M. Yokoyama, had been unanimously in favour of such co-operation. He did not know how Dekobra, whom he did not know personally, had become acquainted with his name. It could not have been from League documents, where he was always called by his official name i.e. Koo Chi-Tsai, and not Victor Hoo. He therefore thought the articles must have been inspired from some quarter. As against these two publications having no official character there were the official statements made in the Advisory Committee, which showed that the situation in Manchuria was more serious than in other parts of China.

With regard to the system of import certificates in Manchuria, the Committee at its previous session had merely urged the application of strict measures for control, but had left open the question as to the authority by whom the certificates should be issued. M. Koo's proposal that they should be issued by the consular representatives was not contrary to the Committee's decision or to recommendation VII of the Advisory Committee on the Sino-Japanese dispute, but merely supplemented the former decision. Strictly speaking, the issue of the certificates by consular representatives might appear to be contrary to the Convention but the entire situation in Manchuria was contrary to the Conventions.

If the Convention was strictly conformed with, nothing should be sent to Manchuria at all. Since the estimates of drugs required there were included in the estimates for China, strictly speaking, the supplies should be sent to China.

The suggestion that certificates should be issued by the consular representatives was not very surprising, as that system had been applied for the last ten or twenty years by the British and American consuls.
Since the introduction of the import certificate system, those consuls placed their visa on import applications which were then sent to the Chinese Maritime Customs who issued the certificates. The system had been and still was applied also in "Manchukuo". The report on Chosen for 1932 showed that export was permitted to Manchuria on certificates issued by Japanese consuls in Manchuria. He therefore asked the Committee to give favourable consideration to Mr. Wellington Koo's suggestion.

Sir Malcolm Delevingne had suggested that the Committee should keep to its decision of last year. That decision was not, however, very convincing since it had been taken only by nine votes to six.

Sir Malcolm Delevingne had also said that, according to the Chinese report, the certificates issued by the Chinese Maritime Customs were not required for drugs imported from the United Kingdom or the United States of America. The Chinese report in question had been sent before China ratified the 1931 Convention so that the system could not be legally applied to countries with whom there was no direct agreement. Such agreements had only existed with Switzerland and Germany. The position had now changed, since China had ratified the 1931 Convention.

The CHAIRMAN thanked Dr. Hoo for his statement, which had been inspired by a spirit of conciliation, as had that of M. Yokoyama. He hoped that it would be possible to reach a solution satisfactory to all parties.

Mr. FULLER (U.S.A.) said that there were two alternative proposals before the Committee: (1) to refrain from permitting any manufactured drugs to enter "Manchukuo" and (2) to permit the import against consular certificates.

The Committee had agreed that the former alternative was entirely out of the question for humanitarian reasons.

The system of permitting imports into China on consular certificates had been in force for the last fifteen years and all the importing firms enjoyed extra-territoriality. The system worked as follows as far as the United States was concerned.

The United States Government did not permit exports unless it had an assurance from the authority which had jurisdiction over the importer. Most of the drugs were exported to British firms, who made an affidavit before the British consul regarding the drugs specified in the application, and setting forth that the firms were registered in the British Consulate under the British Pharmacy Law applicable in China and were under British jurisdiction. The British Consul added his certificate to the affidavit, which was then presented to the American Consul, who attached an additional certificate. The whole was then sent to the United States. The American export certificate was issued against this document. This system had been established after long consideration, and the
examination of the study on the subject made some years ago by the Diplomatic Body at Peking. Foreigners did not come under Chinese jurisdiction, so that a Chinese import certificate alone was not considered an adequate guarantee.

On the consular certificate issued in the above manner, the United States authorities gave an export permit. When the goods reached China, the importer produced to the Chinese Maritime Customs a certified copy of the consular certificate. There was thus a guarantee as to the total quantity of drugs imported and as to control after importation.

This system was in agreement with the Convention and furnished adequate guarantees. The United States proposed to continue shipping to Manchuria in this manner, which it regarded as contravening no Convention and no Law. It relied upon the statements of the Japanese Government and of the regime at present functioning in Manchuria to the effect that they expected to maintain the open door. He thought that other countries followed the same system. The Japanese annual report for Chosen showed that the authorities in Chosen followed this course. He regarded this as the only method by which imports by foreign firms in China and Manchuria could be controlled.

M. BOURGOIS (France) said the Committee had not intended to institute import certificates in Manchuria, but merely to look for means of obtaining a guarantee similar to that given by the import certificate system provided under the Convention. That guarantee was as follows: the purchaser obtained from the competent authorities and presented to the seller a certificate that the drugs in question were necessary. Such a guarantee could not be obtained under the new system, for the consul would be unable to assure himself that the drugs in question were necessary, since he did not know the state of the market at the time of delivery, for example, the quantity of drugs represented by orders already placed. He could only obtain that information by asking the authorities whether the drugs in question were really indispensable. But would the representative of China accept that solution?

M. YOKOYAMA (Japan) explained the system in Japan, under which exports of small quantities of drugs to Manchuria were permitted in exceptional cases. In 1926 the Japanese Government had prohibited the export of drugs to China and neighbouring countries, even if an import certificate were submitted. An exception was, however, made in respect of small quantities of drugs required by Japanese physicians and pharmacists for their professional needs. He quoted the Chosen report for 1932 explaining this system. When the Manchurian Government had published its new law, the Japanese Government would adopt the method required by that law.

With regard to Dr. Hoo's remarks regarding Japanese advisers in Manchuria, he thought there was a misunderstanding. He had said that there must necessarily be difficulties in a transitional period and he thought the Manchurian Government, with the help of the Japanese advisers, would overcome these difficulties. He had referred to the efforts made in Formosa and Chosen. Manchuria was much larger than these two countries and the difficulties were correspondingly greater.
Sir Malcolm DELEVINGNE (United Kingdom), in reply to Mr. Fuller, said his experience of the working of the consular certificate system was not so satisfactory as Mr. Fuller's appeared to be. Moreover, Germany, the most important country for the export of drugs, had no extra-territorial rights in China.

The CHAIRMAN proposed that a vote be taken on Sir Malcolm Delevingne's proposal, which read as follows:

"The Committee is of the opinion that from the technical standpoint a system of consular certificates does not provide the safeguards or the information which the system of import certificates as laid down in the Geneva Convention of 1925 is intended to secure."

M. de VASCONCELOS (Portugal) thought Sir Malcolm Delevingne's proposal was in accordance with the requirement that the Committee should not touch on political questions.

M. YOKYAMA (Japan) supported the proposal and asked that the vote be taken by roll-call.

M. HO0 CHI-TSAI (China) thought the proposed text did not reply to the question before the Committee. Everyone agreed that the system under the Convention was better than the consular certificate system, but the Convention could not be applied as regards Manchuria without raising a political question.

Sir Malcolm DELEVINGNE (United Kingdom) read the Sino-Japanese Committee's recommendation and pointed out that Mr. Wellington Koo proposed to substitute consular certificates for import certificates. The proposed text expressed the opinion that the consular certificate system did not give the same guarantees.

M. HO0 CHI-TSAI (China) asked if this meant that the import certificate system should be applied. If so, who would issue these certificates?

Sir Malcolm DELEVINGNE (United Kingdom) replied that the Sino-Japanese Committee, without making a direct statement, implied that the certificates would be issued by the "Manchukuo" Government.

Sir John CAMPELL (India) said that, at the discussion in the previous session, everyone apparently thought that this was the intention of the Sino-Japanese Committee. Otherwise, their recommendation had no meaning whatever.

M. HO0 CHI-TSAI (China) said that the intention of some of the members of that Committee, but it was certainly not known to the others.

M. DRACHKOVITCH (Yugoslavia) thought the Committee was voting under a misunderstanding, in view of Sir Malcolm Delevingne's statement.

Dr. HO0 CHI-TSAI (China) suggested adding a question as to who should issue the certificates, since this was a matter outside the jurisdiction of the Committee.

Sir Malcolm DELEVINGNE (United Kingdom) said the Committee was not asked to suggest by whom the certificates should be issued, but merely to express its views on the consular certificate system from a technical standpoint.
Sir John CAMPBELL (India) said that, if the Committee accepted Sir Malcolm’s resolution, the effect would be to inform the Sino-Japanese Committee that the system of consular certificates did not provide the same safeguards as import certificates. It would then be for the Sino-Japanese Committee to interpret their own resolution.

M. BOURGEOIS (France) would prefer a draft resolution which could also be accepted by the Chinese delegate. He would therefore be in favour of adding a passage in the sense of Dr. Hoo’s suggestion in order that the resolution might be voted unanimously.

Sir Malcolm DELEVINGNE (United Kingdom) did not object and suggested the wording.

"The question has been raised by whom the import certificates should be issued. The Committee offers no opinion on this point which is a matter for decision by the Sino-Japanese Committee itself."

Mr. FULLER (United States of America) proposed to amend Sir Malcolm Delevingne’s text by adding the word "alone" after "a system of consular certificates."

As the Convention which governed the matter was the 1931 Convention, he would add after "the Geneva Convention of 1925" the words "as extended by the Convention of 1931."

Sir Malcolm DELEVINGNE (United Kingdom) preferred not to accept the former of these suggestions, since the text would then leave the Sino-Japanese Committee in doubt.

He accepted the second suggestion.

The resolution would therefore read as follows:

"The Committee is of opinion that from the technical standpoint a system of consular certificates does not provide the safeguards or the information which the system of import certificates as laid down in the Geneva Convention of 1925 and extended by the Limitation Convention of 1931 is intended to secure. The question has been raised by whom the import certificates should be issued. This is a question which is within the competence of the Sino-Japanese Committee and on which therefore the Advisory Committee does not express an opinion."

M. HSÜ CHI-TSAI (China) accepted this text.

M. YOKOYAMA (Japan) said he would accept the text if the Minutes of the discussion were at the same time forwarded to the Sino-Japanese Committee for its information.

The draft resolution was unanimously adopted.

M. EKSTRAND (Director of the Opium Traffic and Social Questions Sections), pointed out that, in view of the decision to transmit the Minutes to the Sino-Japanese Committee, the advisory Committee would have to decide whether it should print the Minutes of the meeting which had been held in private.

The Committee agreed that the Minutes should be endorsed and sent to the Sino-Japanese Committee.