

Geneva, July 17th, 1945.

PERMANENT CENTRAL OPIUM BOARD

LEAGUE OF NATIONS

Report to the Council on the Work of the Board

issued in compliance with the terms of the Geneva Opium Convention,
signed on February 19th, 1925, and the Convention for limiting the
Manufacture and regulating the Distribution of Narcotic Drugs, signed at
Geneva on July 13th, 1931.

I.

The Permanent Central Opium Board held in London its forty-fifth session from July 12th to July 17th, 1945. The following members were present :

Sir Atul CHATTERJEE, *President* (India),
Mr. Herbert L. MAY, *Vice-President* (U.S.A.),
Sir Malcolm DELEIVINGNE (United Kingdom),
M. J. H. DELGORGE (Netherlands),
Dr. George Woo (China).

The Board re-elected Sir Atul CHATTERJEE as President, and Mr. Herbert L. MAY as Vice-President, until the next session of the Board.

The Board has learned with profound regret of the deaths of Judge Michael Hansson (Norway), M. Dragan Milicevic (Yugoslavia) and Professor M. Tiffeneau (France), all of whom have been valuable members of the Board for many years. Their absence will be greatly felt, particularly at the present time, in the deliberations of the Board.

II. REVIEW OF ORGANISATION AND WORK SINCE THE BEGINNING OF THE WAR

As, with the end of the war in Europe, a definite stage has been concluded in the Board's work, it considers it desirable, in the present report, to review the steps taken to preserve the organisation and maintain the Board's international control; and to summarise how the control has fared in the fortunes of war, where it has succeeded, and where broken down, and, finally, what is the present position in which it finds itself.

A. *Preservation of the International System and Organisation of Control since 1939.*

The problem confronting the Board at the outset of war was how to ensure the continuance of the control, maintain for its part the operation of the Narcotics Conventions, secure that the Board itself should survive, and prevent its staff and records from being disorganised and dispersed. With this object various steps were taken then and later.

1. A letter was at once sent to all Governments informing them that the Board proposed to continue its work and asking for the full collaboration of the national controls. This letter met with a remarkable response. Not only has no Government denounced any of the Conventions, but there have been some new accessions. With the exception of the very few countries of the world which had not ratified them, and with a few exceptions in Eastern Europe, all the Governments of the United Nations throughout the world and almost all neutral Governments have carried on their domestic control and have collaborated in varying degrees with the Board.

2. The war precluded some of the eight members of the Board from participating in its work; others found it impossible to travel to meetings in war conditions. There was danger that the necessary quorum would not be obtained at sessions of the Board. Two new members were therefore added to the Board. The present position is that there are seven members of the Board instead of the eight members provided by the Narcotics Treaties. Five of the present members served before the war. One of these five members, Professor Saenz, has not been able to attend any meetings since 1938.

Difficulties in communications and financial stringency prevented the Board from holding four sessions a year as in normal times; but sessions have taken place in every war year except one; and reports¹ and recommendations have been made.

3. In 1940, it became apparent that communications with the Headquarters of the Board at Geneva would become increasingly slow and precarious. It was therefore decided to open a Branch Office in Washington with the consent of the Government of the United States of America. The staff, except one clerk, were moved to this Branch Office in Washington, and continued to conduct the Board's secretarial and statistical work there until June last, when it was decided to return them to Geneva. The utility of the transfer to Washington was demonstrated later when Switzerland was surrounded by Axis belligerents and Axis-controlled countries, and postal communications were cut off, or delayed and impaired by censorship for considerable periods.

By the time the move took place, only three of the six officials on the Board's secretariat remained, the rest having been necessarily dismissed under retrenchments caused by the war. The Board was obliged to abandon some of its normal procedure and methods of work; certain tasks, such as the placing of embargoes and the publication of statistics, had in any case to be suspended during the war; the receipt of statistics had declined. Thus, during the next four years, it was possible with the reduced staff to keep the machinery in being, to continue the more essential duties of the Board and its secretariat in Washington, and even to carry out some research work². That this should have been possible is in large measure due to the Vice-President, Mr. Herbert L. May, who unsparingly gave time and trouble in establishing, maintaining and supervising the work of this Branch Office.

4. The war produced at first a sharp decline in the statistical information sent by Governments, on which the Board's control is based. The Board used to receive in normal years about 1,500 returns from 65 metropolitan Governments and from the administrations of some 100 colonies and territories. This number fell to 965 for 1941 and has since begun to rise; and the returns received this year should number well over 1,050. The missing returns relate almost all to Axis or Axis-occupied countries, or to countries which have ceased to exist as independent sovereign States. Many countries, although actively engaged in the war, and among them countries where control is most important — such as the United States of America, the United Kingdom, Canada, China and India — carried on their domestic control of narcotics and their collaboration with the Board. Some Governments partially or wholly suspended their returns, and informed the Board that the information, retained for reasons of military security, would be sent after the war.

The Board is receiving at the present time information of one kind or another from no less than 49 metropolitan countries and 66 colonies and territories.

The Board is taking active steps to obtain information from countries where it can and ought to be made available. There are several important gaps. For example, Spain (see B, 1, below) has failed for many years to send any annual statistics. It is particularly regrettable that the Soviet Union stopped all collaboration with the Board in 1940; and the Board earnestly hopes that this collaboration, which was formerly excellent, may now soon be resumed. The returns from Iran have been defective in quality and quantity (see B, 4, below). On the other hand, certain countries such as Ethiopia, Liberia and Peru, which sent little or no information before the war, have recently begun to send fuller particulars. The principal Axis countries — Germany, Italy and Japan — and some of the Axis-occupied countries, particularly in the Balkans, have sent no returns since the war began. Hungary continued to send returns. Certain Axis-occupied countries — including Belgium, Denmark, France, Netherlands and Norway — continued to send information and recently returns have been again received from most of the French Colonies and Territories. Broadly speaking, the direct control set up by the International Conventions has withstood the shock of war; and most Governments have supported the international control to a remarkable degree. The end of the war finds the Treaties unimpaired. Most of the national controls, together with the Board and its secretariat, are in existence and able to discharge the essential duties under the Narcotics Conventions. The pre-war system of information on which the control is based has been impaired somewhat but by no means irreparably.

B. Position in Certain Areas.

This general statement should be supplemented by the following observations regarding certain areas of special importance, and indicating where, in particular, reform and reconstruction are necessary.

¹ Documents C.85.M.85.1942.XI of November 27th, 1942 — Report to the Council on the Work of the Board (1941-1942); C.37.M.37.1943.XI of December 30th, 1943 — Report to the Council on the Work of the Board (1942-1943); C.14.M.14.1944.XI of May 5th, 1944 — Report to the Council on Measures to re-establish the Control of Dangerous Drugs in Liberated and Occupied Countries.

² Document C.24.M.24.1944.XI — Pre-war Production and Distribution of Narcotic Drugs and Their Raw Materials, a monograph prepared by M. L. F. Atzenwiler, an official of the Board's staff, at the request of the Board, and published with the Board's authorisation.

1. *Western Europe with Spain and Italy.* — In its last report issued in 1944¹, the Board formulated certain general suggestions for the use of Civil Authorities and the Civil Affairs Divisions of Military Authorities in countries that were being liberated. These suggestions were substantially embodied in directions issued by Supreme Headquarters in the European theatre. The Board hopes that they were of value at a time of much difficulty and confusion.

From official reports received from France and Belgium and other evidence, it is clear that the national controls in these two countries functioned throughout the war and only need some little reconstruction. No information regarding the state of the domestic control has yet been received from Denmark, the Netherlands or Norway; but these three countries sent full returns in 1944 in respect of the previous year.

As regards Spain, on the contrary, a neutral country not exposed to the disruption of war, the situation is highly unsatisfactory. In the past five years the Spanish Government, although it is a Party to the 1925 and 1931 Conventions, and bound by the obligations contained in them, has, in spite of repeated reminders, sent no annual statistics, has persistently imported drugs in excess of estimates and has furnished only one reply to constant requests for explanations of such excesses; and this reply was unsatisfactory. Finally, the Board is without any information whatever regarding Italy and Luxemburg.

2. *Germany.* — This country is at present under a joint Military Government, which is likely to continue for many years. This special situation creates a twofold problem. In so far as narcotics are required for civilian purposes, the Board would appreciate the assistance of the Military Government to the end that an adequate domestic control may be at once re-established and the information required under the Conventions sent to the Board. Secondly, in so far as narcotics are used by the occupying armies, the Board draws attention to the fact that the drugs being used for Government purposes are outside the control of the Board and of the domestic controls of the importing and exporting countries which supply these needs. This imposes a special responsibility for the Military Government, particularly having regard to the fact that, after the last world war, the sudden and alarming increase in illicit traffic and addiction was believed to have been partly due to leakages from military supplies.

3. *Eastern Europe.* — As stated above, the Board hopes that the Government of the Soviet Union, important as producer, manufacturer and consumer, will again be willing to collaborate with the Board. The Board has received no information whatever in recent years in respect of Estonia, Latvia and Lithuania. Likewise, no information has been received from Bulgaria, Greece and Yugoslavia, countries where raw opium is grown.

4. *Near and Middle East.* — This area includes two of the most important producers of opium in the world. The first of these, Turkey, has collaborated fully with the Board during the war. The second, Iran, on the other hand, has never ratified the 1925 Convention. It is highly desirable that such a ratification should be effected, for it is under this Convention that returns are sent of the production of raw opium, and Iran is particularly important as a producer of this commodity, which forms the raw material of so many dangerous drugs. It may be added that the other returns sent in by Iran under the 1931 Convention have left much to be desired.

5. *The Far East.* — The Far East, where hostilities are actually in progress and large tracts are still in Japanese occupation, is the area about which the Board has least information. India has continued to send returns, and the Chinese Government has done its best, after eight years of war and in difficult circumstances, to supply information regarding those parts of the Republic in which the Administration is operative. Japan ceased all collaboration after the outbreak of war and no returns have been received in respect of its territories.

Before the war, the Far East presented the most important problem of narcotics control in illicit traffic and addiction; and the war must have greatly increased these evils. It is therefore particularly important that vigorous action should be taken as soon as possible and that full information should be sent to the Board. The attention of the Board has been called to the recent declarations of the Governments of the United Kingdom and the Netherlands that they intend to abolish opium-smoking in their territories in the Far East. This is a remarkable new development and will have an important bearing on the international control of narcotics.

The Board has learned with great satisfaction that it has been agreed by the Governments concerned that, in this theatre of war, strict measures of control will be applied, including the furnishing of information to the Board on imports and exports, manufacture and stocks; the prohibition of opium-smoking, with the confiscation of stocks found in opium shops and smoking-dens; and measures to deal with addiction.

6. *Central and South America.* — It may be said in general that, ever since the inception of the Board's work fifteen years ago, control in this area has never been entirely satisfactory. The national controls vary, of course, from country to country. Some are excellent — e.g., in Colombia. Others — as, for instance, in Panama — can hardly be said to function at all. The Argentine is the only

¹ Document C.14.M.14.1944.XI of May 5th, 1944.

considerable country in the world which has not ratified any Narcotics Convention, although it has collaborated with the Board and sent full returns. It is much to be desired that this ratification should now be effected.

The difficulties in Central and South America are not due to ill-will. In several cases, so far as the Board understands, they arise from lack of a full understanding of the complicated clauses of the Conventions and their implications.

During the existence of the Board's Branch Office in the Western Hemisphere some progress has, however, been made. For instance, the total number of returns which could be expected from this area is 200. In respect of the year before the war, the Board received 148 returns. This figure increased to 191 in 1943 and it is to be hoped that this high level will be maintained. In Peru, a country of great importance to narcotics control because it is one of the largest manufacturers and exporters of crude cocaine in the world, some progress has been made quite recently. This country during many years failed to send annual returns to the Board; but now, in response to a request to the Foreign Minister, most of the annual returns are being received. Unfortunately, the return which presents the greatest interest — viz., the return of Production and Manufacture — has not been sent, and the omission has not been explained. It is most desirable that this gap should be filled as soon as possible.

While some improvement and progress in the countries of Central and South America is to be recorded, the Board wishes to establish closer contact with the Administrations of this region and believes that such contact would have excellent results. It is desirable that an official with a wide knowledge of "drug" control in all its branches should, at a suitable time, go on mission to countries in the centre and south of the Western Hemisphere. The Board has reason to believe that such a mission would be welcome to the Administrations concerned.

7. Before turning to the future plans and prospects, the conclusions of the present section may be summarised as follows :

(a) The Conventions under which the Board operates are, together with the Treaties establishing the Red Cross and the International Postal Union, the most widely ratified in the world. They have not been impaired by the war.

(b) While some domestic controls have disappeared or been disorganised, the majority of the controls have survived the war, and continued their work, even in cases of enemy occupation. The areas in which controls perhaps most need to be re-established and reconstructed are the Balkans and the Far East. In Central and South America, they need to be gradually built up through advice, experience and increased financial provision.

(c) The Board and its secretariat continue to function. The body of information on which the Board's control is based sank, at its lowest point, to a little below two-thirds of its pre-war volume; and it has been steadily increasing in the last two or three years.

(d) The Board trusts that, in view of the situation described in this report and with the assistance of Governments and Military Occupying Authorities — in particular of the Government of the Soviet Union and of the Military Authorities in Germany and the Far East — this whole piece of international work will be restored in the near future to its pre-war scope and level of efficiency.

(e) The control of narcotics was instituted in order to master a widespread and insidious evil, recognised as such by Governments and the public. In the decade before the war, the international and national controls, working in close co-operation, fulfilled their purpose with remarkable success. For instance, in the United States, it was estimated that addiction was reduced by as much as 60 %. It cannot be too often emphasised, however, that the danger will recur unless measures are taken at once to reinstate the controls where necessary. The following section deals with certain aspects of the future.

III. FUTURE ORGANISATION AND PLANS

A. *The San Francisco Conference and the Preparatory Commission of the United Nations.*

At the San Francisco Conference, it was decided, as had been contemplated in the Dumbarton Oaks proposals, that specialised agencies operating under existing treaties, of which the Board is one, should be brought into relation with the new United Nations Organisation. In the appropriate Committee of the Conference, the following statement was made by the representative of the United States of America. It was supported by the representatives of Canada, China and India and was embodied in substance in the Rapporteur's report, which was at a later stage supported by the representative of the United Kingdom.

"The fifth report of the Drafting Committee issued on May 26th contained a brief reference to the international control of the traffic in dangerous drugs, indicating that this was one of the fields within the province of the Economic and Social Council. The subject is of such importance that, on behalf of the United States Delegation, I should like to add a few observations for the record. Experience has shown that drug control raises issues which can best be met not

by an international health, economic or social agency but by the type of specialised agencies now functioning so successfully in this field. Everything possible should be done to safeguard the continued operation of these agencies and services. The United States Delegation wishes to go on record as hoping that the Organisation will be entrusted with supervision over the execution of existing or future international agreements with regard to the control of the legitimate traffic in opium and other dangerous drugs, and the suppression of the illicit traffic in and the abuse of such drugs, that there shall be established an advisory body to advise directly the Economic and Social Council on these matters, and that the existing agencies be regarded as autonomous agencies to be related directly to the Economic and Social Council."

The Board has noted this statement with great satisfaction, as also the fact that a Preparatory Commission of the United Nations, shortly to meet in London, has as one of its duties to "examine the problems involved in the establishment of the relationship between specialised inter-governmental organisations and agencies and the Organisation". The Board welcomes the opportunity of establishing a relationship with the Economic and Social Council so that the present period of uncertainty and transition may be shortened. The representatives of the Board will be prepared to discuss with the Preparatory Commission, and eventually with the Economic and Social Council, the problems involved. In this connection the following are the more important points which have engaged the Board's attention.

1. *Continuity.* — For the maintenance of the system of control, it is necessary that there should be no break or hiatus in the work of the Board and Supervisory Body which establishes the annual estimates on which the Board's control is based. If once the control is disorganised or discontinued even for a short time, the statistics used in the control become more or less valueless, and it would be difficult to resume the system except after considerable delay. No interval should be allowed to elapse and no alterations should take place in the work of these two bodies between the dates when the League of Nations ceases to work and the new Organisation set up at San Francisco begins to function.

2. *Relationship with the Economic and Social Council.* — Another point arises in regard to the relation between the Permanent Central Opium Board on the one hand and the new Economic and Social Council on the other. The Permanent Central Opium Board is an independent body with certain quasi-judicial functions working under International Conventions which have the characteristics of treaties. It is most important that the position of the Board in this respect should be maintained.

3. *Powers and Duties of the United Nations in regard to the Board.* — It is urgent that an international authority should be designated to appoint the members of the Board and receive its reports in future. The powers and duties attributed to organs of the League of Nations in regard to the control of drugs which it is necessary to transfer to the United Nations have been fully listed in an official document¹, and the Board need not enter upon them here.

B. *Plans for the Future.*

As regards the immediate future, the following steps have been taken.

1. The Branch Office of the Board at Washington has been closed and the secretariat will function again at Geneva until the new Organisation of the United Nations is constituted.

2. The Board considers it desirable that, with the increased facilities in communications, it should, as soon as possible, resume its normal practice, based on treaty requirements, of holding four sessions a year. In general, it is necessary that the budget and the staff of the Board should be restored to the pre-war level so that the treaty functions of the Board may be properly carried out, that tasks suspended or reduced during the war may be fully resumed, and work in arrears may be overtaken.

3. The Board's records will again be centralised in one place; and this in itself is a great advantage. Moreover, the Board is taking active steps to secure wherever practicable that returns are sent by Governments which have wholly or partially suspended the transmission of information during the war. As soon as the quality and quantity of returns received justify such a step, the publication of annual statistics will be resumed.

Atul C. CHATTERJEE,
President.

Herbert L. MAY,
Vice-President.

A. E. FELKIN,
Secretary.

¹ Document C.3.M.3.1944.V (pages 15-26).